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# CONFERENCE ON DISARMAMENT

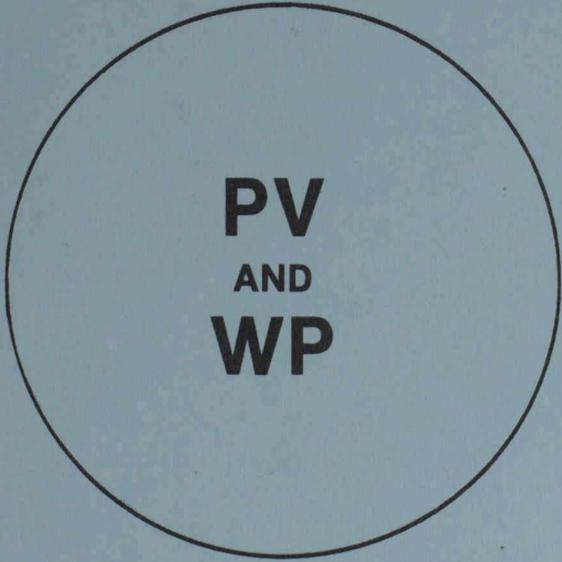
## PREVENTION OF AN ARMS RACE IN OUTER SPACE

FINAL RECORDS (PV)

AND

WORKING PAPERS (WP)

1991



**PV**  
AND  
**WP**

ARMS CONTROL AND DISARMAMENT DIVISION OF  
THE DEPARTMENT OF EXTERNAL AFFAIRS  
OTTAWA, CANADA

FEBRUARY 1992



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## PREFACE

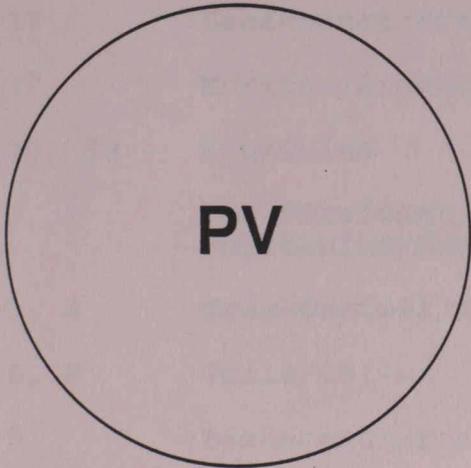
This volume is a compilation of final records (PVs) of the Conference on Disarmament during its 1991 sessions relating to the Prevention of an Arms Race in Outer Space. It also includes plenary working papers (WP) submitted to the Conference on Disarmament during 1991 relating to the same subject. It has been compiled and edited to facilitate discussions and research on the outer space issue.

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(Mr. O'Sullivan, Australia)

We look forward to the early re-establishment of the Committee on outer space and we will continue to work fully and co-operatively with that Committee to consider how outer space can be spared an arms race. I will be dealing with this and other matters of the CD's agenda in a subsequent intervention.

CD/PV.582

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(Mr. Ngoubeyou, Cameroon)

Other important questions are on the Conference's agenda for the 1991 session. They relate in particular to the prevention of an arms race in outer space, new types of weapons of mass destruction and new systems of such weapons, radiological weapons and the comprehensive programme of disarmament. On all these substantive issues, to which the international community is quite rightly giving attention in the quest for general and complete disarmament under effective international control and in the promotion of peace, security and development, my delegation will be making its contribution in due course, either in the form of statements in plenary or during consultations in the ad hoc committees.

CD/PV.582

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President: Mr. W. Rasaputram (Sri Lanka)

We shall now deal with agenda item 5. The secretariat has distributed document CD/WP.402, containing a draft mandate for a re-established Ad Hoc Committee on the Prevention of an Arms Race in Outer Space. I now intend to put the proposed draft mandate before the Conference for action. If there is no objection, I shall consider that the Conference decides to adopt the draft mandate.

It was so decided.

The PRESIDENT: I now turn to the appointment of the Chairman of the Ad Hoc Committee. I am informed that consensus exists on the appointment of Ambassador García Moritán of Argentina as Chairman of that Committee. May I therefore proceed to register that decision?

It was so decided.

The PRESIDENT: On behalf of the Conference, I congratulate Ambassador García Moritán on his appointment as Chairman of the Ad Hoc Committee under agenda item 5. I extend to him our best wishes for success in discharging the important responsibilities for which he has now been appointed.

(...)

(Cont'd)

(The President)

Another priority item on our agenda, the prevention of an arms race in outer space, will be dealt with under the dynamic leadership of Ambassador Moritán of Argentina. I am pleased that it was possible to reach agreement on this important question, since the cumulative work done by the CD during past years has indicated interesting and productive avenues to explore on this subject.

CD/PV.582

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Mr. HYLTENIUS (Sweden)

I should like to make the following statement on behalf of the Group of 21 in connection with the re-establishment of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space.

On 4 December 1990, the United Nations General Assembly, by an overwhelming majority and only one dissenting vote, adopted resolution 45/55 A on the prevention of an arms race in outer space. The resolution reiterates that the Conference on Disarmament, as the single multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects. It requests the Conference on Disarmament to consider this question as a matter of priority. It also requests the Conference on Disarmament to intensify its consideration of the question of an arms race in outer space in all its aspects, building upon areas of convergence and taking into account relevant proposals and initiatives.

The Ad Hoc Committee on the Prevention of an Arms Race in Outer Space has, over the years, accorded extensive consideration to several issues that have been before it. It has already examined and identified the need to reinforce the legal régime applicable to outer space, as well as the need for strict compliance with existing agreements. It has also considered further measures and the need to hold appropriate international negotiations in accordance with the spirit of the outer space Treaty. In this context the Group of 21 wishes to recall the large number of proposals from all groups introduced in the Conference on Disarmament since the inception of the work of its Ad Hoc Committee in 1985, as demonstrated in documents CD/908/Rev.1 and CD/OS/WP.28/Rev.1. In particular, several of them are, in the view of the Group of 21, ready for in-depth and more structured treatment as they have gathered a substantial degree of support among the majority of the members of the Committee.

(Cont'd)

(Mr. Hyltenius, Sweden)

The Group of 21 has therefore proposed that this year the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space should have a negotiating mandate. The Committee should thus, in the view of the Group, focus on concrete proposals to prevent an arms race in outer space, and continue to build upon areas of convergence with a view to undertaking negotiations for the conclusion of an agreement or agreements, as appropriate, to prevent an arms race in outer space in all its aspects. To the regret of the Group of 21, however, it has not been possible to improve adequately the mandate of previous years, due to the reluctance of some delegations to accept such a change.

In order to facilitate the speedy resumption of work, the Group of 21 has decided to go along with the same mandate as before. This is a renewed demonstration of the flexibility and goodwill of the Group. It is our hope that other delegations will respond constructively to this attitude and agree to a more focused approach to relevant issues, so that we can move forward in areas where there are prospects for agreement. The Group holds that any delay of the work of the Committee should be avoided, given the urgent need to address this important agenda item. The Group of 21 is of the opinion that the Ad Hoc Committee should therefore start work immediately in order to achieve progress and attain positive results, and expects substantial movement on the mandate issue in the near future.

Before concluding, I should like to take this opportunity to congratulate Ambassador García Moritán of Argentina on his appointment as Chairman of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space. His experience and diplomatic skills guarantee that the Committee will be in very competent hands, and I am convinced that it will make substantive progress under his guidance.

Mr. BESANCENOT (France)

(translated from French): Mr. President, this is the first time that I have had the honour of taking the floor in this forum, and therefore I would like at the outset to congratulate you on my delegation's behalf on the manner in which you have acted as President of our Conference during these first important four weeks of the annual session.

On behalf of the Group of Western Countries I would like to express our satisfaction at the re-establishment of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, and the Conference's adoption of the same mandate for the Committee as in the past. A reading of the Ad Hoc Committee's report is sufficient to persuade one that the Committee must continue in-depth analysis of all questions relevant to the prevention of an arms race in outer space, in order to reconcile positions on basic concepts, which is essential in order to envisage negotiations on measures in this area. Experience has shown that the present mandate of the Ad Hoc Committee was sufficiently broad and flexible to enable all interested delegations to make their contribution to this common quest, including the consideration of new proposals. We would like to thank the other groups and other members of the Conference for their efforts which led to the adoption of this decision. We hope that this sense of realism will enable the Committee to embark on its substantive work without further delay. Lastly, I would like to congratulate His Excellency Mr. García Moritán, the representative of Argentina, on his election as Chairman of the Ad Hoc Committee. Both his diplomatic skills and his country's well-known interest in this agenda item make us confident in the prospects for this session.

Mr. GARCIA MORITAN (Argentina)

(translated from Spanish): In this last stage of your presidency, I would like to express my delegation's appreciation to you for the important task that you have performed at the start of the 1991 session of the Conference on Disarmament. The decisions adopted this morning offer a clear demonstration of your diplomatic skills and the effort made to get our work off to a good start. In that context I wish to express appreciation for the confidence placed in my delegation through the appointment to lead the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, and also to thank those who congratulated me. I would like to take this opportunity to thank Ambassador Shannon of Canada for the work done in 1990 as Chairman of the Ad Hoc Committee, and the important support received from the secretariat during his term of office.

(Mr. Hou, China)

(translated from Chinese): I wish to say a few words after having listened to many interesting statements today. I shall be very brief.

I am very happy to speak for the first time this year at the plenary of the Conference on Disarmament. First of all, please allow me on behalf of the Chinese delegation to extend our congratulations to you, as the distinguished representative of friendly Sri Lanka, on being the first President of the session, and on the excellent way you have accomplished the important task of starting the session. I would also like to take this opportunity to pay our tribute to Ambassador Komatina, Secretary-General of the Conference on Disarmament, and Ambassador Berasategui, Deputy Secretary-General of the Conference.

(...)

Under your able guidance, Mr. President, steady new progress has been made in the work of the Conference. In addition to other ad hoc committees, the ad hoc committees on an NTB, chemical weapons and outer space have been re-established today. New decisions have been taken on important agenda items such as nuclear disarmament and the prevention of nuclear war. In this connection, I wish to extend our congratulations to you as well as to the Conference. Our felicitations also go to Ambassador Chadha of India, Mr. Batsanov, head of the Soviet delegation, and Ambassador Moritán of Argentina on their appointment as chairmen of the three committees. We are convinced that with their outstanding skills and rich experience, they will guide the committees to new achievements. Here I would like to offer them as well as the officers of the Conference the close co-operation of the Chinese delegation. At the same time I would like to express once again our thanks to Ambassador Donowaki, Ambassador Hyltenius and Ambassador Shannon, the chairmen of the three ad hoc committees in 1990, and their officers, for their outstanding work and contributions.

The principled stands of the Chinese delegation on the nuclear test ban, the cessation of the nuclear arms race, the prevention of nuclear war, chemical weapons and outer space, including our position on the mandate of

those ad hoc committees, are consistent and well known to everyone, and therefore I will not elaborate.

President:

Mr. Carl-Magnus Hyltenius

(Sweden)

An increasing number of States will become active in the peaceful uses of outer space. Some of them may also contemplate military uses which may be considered threatening to other States. The CD has an opportunity of making a decisive contribution to the efforts to prevent an arms race in outer space before it becomes an established fact. There are several examples of similar agreements in the past, preventing undesirable developments, agreements which have proved to be extremely useful. The re-establishment of the Ad Hoc Committee provides this opportunity.

CD/PV.584

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(Mr. Gros-Espiell, Uruguay)

In the statement I delivered to the General Assembly of the United Nations on 4 October 1990 entitled "The vulnerability of peace without disarmament", I said one or two words that with your permission I would like to repeat again:

"(...)

Uruguay understands that the immediate task is to concentrate on further advancing the regulation and limitation of armaments, whether conventional, nuclear, chemical, bacteriological, radiological or space weapons."

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The other item I wished to refer to is the item relating to the arms race in space. The mandate of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space and the statement made by Sweden on behalf of the Group of 21 on 14 February last are major steps to permit progress on this topic. Thus both with regard to chemical weapons and on the arms race in outer space, two ad hoc committees are in operation and we hope that in both cases this Conference will be in a position to set an example of swiftness, calm, thorough and practical analysis, in solving these problems.

(Mr. Tomic, Chile)

I would not wish to conclude this statement without referring briefly to the topics at the centre of the Conference's attention at its present session. I refer to chemical weapons, nuclear testing and the prevention of an arms race in outer space..

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(---) Chile has for many years been urging the need for legal controls on the peaceful uses of outer space, which should benefit all States. We are therefore concerned at the arms race in space, since instead of the search for co-operative aims the inevitable end result will be its continued militarization. The Conference should give the Ad Hoc Committee an adequate mandate to initiate substantive negotiations, without prejudice to the important task that has been entrusted to COPUOS in this field. Taking into account the importance of this topic, Chile circulated document CD/915 in 1989.

For all the foregoing reasons, my country attaches special importance to the Conference on Disarmament. A forum of this type, I repeat, cannot be a closed circle, when its decisions affect or have a bearing on the international community as a whole. Objectively speaking, peace, the supreme objective of the United Nations, is not the desire of just a few, but the aspiration of all. In this context, the Government of Chile feels the moral obligation to help to outline minimal conditions of justice and security corresponding to the democratic values that we regard as absolutely indispensable. Therefore we are ready to carry out measures of solidarity both regionally as well as internationally to strengthen the stability of countries and remove the threat of war. The present structure of this Conference is perhaps not conducive to these noble aims. For that reason we consider that there is an urgent need to restructure it so that all nations have an opportunity to join or at least express themselves on an equal footing.

(Mr. Besancenot, France)

Outside the chemical field, the Conference must also continue to devote due attention to the important questions relating to nuclear weapons and the prevention of an arms race in outer space, which are on its agenda. The group of Western countries, for its part, is determined to continue to make an active contribution to the negotiations and discussions under way in the Conference.

CD/PV.586

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(Mr. Calovski, Yugoslavia)

As regards the prevention of the arms race in outer space, this issue has emerged as most topical because of scientific and technological developments and the reasonable demand of the international community that space should be used exclusively for peaceful purposes. We should not allow the arms race to spread into outer space as it is in the interest of all to have scientific and technological achievements in this endless space mostly used for solving basic living and developmental needs of man, especially in the developing countries. So far during the work of the Conference numerous proposals and initiatives have been submitted on expanding the legal system, on strengthening security, on greater transparency of space activities and on confidence-building measures. All of this we see as a valuable contribution to preventing the arms race in outer space. Since a growing number of countries are acquiring the technological capability for space activities, the multilateral character of these issues is becoming ever more significant.

CD/PV.587

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Mr. ROBERTSON (Canada)

In our delegation we have been encouraged over the years by the favourable reactions of other delegations to the distribution of our compendium of statements and working papers on outer space. In the hope that this will continue to prove useful to the members of the Conference, and in particular to those participating in the Ad Hoc Committee on this item, the Arms Control and Disarmament Division of the Canadian Department of External Affairs has produced a further volume covering the 1990 session of the CD and of the Ad Hoc Committee. This has been assigned the number CD/1073 and will shortly be distributed to delegations. I hope that it may contribute in a positive way, to advancing our work on this important subject.

(The President)

In connection with the fact that the Soviet representative is performing the duties of President of the Conference from this week onwards, the Foreign Minister of the USSR, A.A. Bessmertnykh, has requested me to convey to the Conference on Disarmament and all the delegations taking part in its proceedings, as well as the Secretary-General of the Conference, his wishes for success in resolving the tasks of the utmost importance which are on the agenda of this forum. He also instructed me to underline the unchanging nature of the Soviet Union's consistent course towards lower levels of military confrontation, and towards real disarmament. As regards the Conference on Disarmament, Minister Bessmertnykh asked me to note that this involves first of all the earliest possible completion of negotiations on the prohibition of chemical weapons, ensuring a qualitative shift in considering the problems of the complete prohibition of nuclear tests and the prevention of an arms race in outer space, and a constructive search for mutually acceptable solutions on other agenda items of this unique multilateral negotiating forum.

(Mr. Garvalov, Bulgaria)

If a realistic approach is adopted, then a number of measures could be agreed upon in the field of confidence-building and openness in outer space activities.

CD/PV.588

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(Mr. Azikiwe, Nigeria)

We cannot help but register our profound regret that the Ad Hoc Committee on outer space does not have a negotiating mandate. The real question is: What should we do? We can go on as before, sitting it out and hoping that the fundamental problems some delegations do have might change. Or we can undertake constructive and courageous efforts in enriching the work of the Ad Hoc Committee. In this respect, my delegation welcomes the bold initiative of the Chairman, Ambassador García Moritán, in preparing a non-binding list that will enable us to embark on substantive consideration in a more practical way. We believe that the present legal régime is inadequate. Rapid advancement in science and technology has led to the development of new weapon systems unforeseen during the negotiation of the outer space Treaty and other relevant laws. There is so much that we can and must do. It is going to take a great deal of vision and political will on our part, especially from those who have the primary responsibility of preventing an arms race in outer space. The CD needs a breakthrough in real disarmament measures for the sake of maintaining its credibility as a negotiating forum. I believe that in this year's session we should avoid a "business as usual" approach. This is an approach which diffuses our attention on general discussions on all the issues, ending with no action on any. Rather, we should make this an action-oriented session in order to achieve concrete results.

(Mr. Arteaga, Venezuela)

It is indisputable that the international community has agreed to preserve and conserve outer space for exclusively peaceful purposes and for the benefit of all mankind. Even though it is recognized that weapons have not been deployed in space, there are certain weapons or systems of such weapons that could be placed in that environment. We observe that the talks on strategic nuclear weapons carried out by the United States and the Soviet Union have not succeeded in reaching a solution to the problem of the qualitative improvement of nuclear weapons and the creation of new defensive systems. It seems that the discussion on the relationship between offensive and defensive weapons is designed to legitimize the deployment of defensive strategic systems, in any environment, including outer space. The 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies is in force. We have all recognized that this instrument plays a very important role in regulating activities related to outer space. What was not foreseen at the time when it was negotiated and entered into force was the possibility that strategic defence weapons and systems might be developed which could operate in space, from space or towards space. Hence the repeated assertion on numerous occasions that the legal régime applicable to space is inadequate to effectively prevent an arms race in this environment, and it is for this reason that we have also affirmed the need to negotiate specific measures designed to prevent an arms race in space. For six years, the

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Ad Hoc Committee on the Prevention of an Arms Race in Outer Space has been operating and has been considering the item. In many respects, over these years, the Committee has played a useful role which is reflected in the reports on its work. From the work done by the Committee, it can be concluded that the stage of general and substantive consideration of the various issues related to the prevention of an arms race in outer space, as well as the existing legal régime, has already been passed.

From now on, it is necessary to focus all efforts on the identification and drawing up of specific measures to achieve the central goal of item 5 of the agenda of the Conference, which is precisely to prevent an arms race in outer space. The proposals which have been submitted on specific measures offer a sound basis for carrying out this work through careful consideration of them, identifying areas of agreement or convergence and orienting the work of the Committee towards action. This set of proposals includes a proposal submitted by Venezuela for an amendment to article IV of the 1967 space Treaty to change the scope of this Treaty from a partial ban into a total ban. This is, if you will, a "positive" assessment of the work of the Committee, and hence we are even more perplexed at the fact that no progress has been achieved in the consideration of measures designed effectively to prevent an arms race in outer space.

President:

Miss Tessa A.H. Solesby

(United Kingdom of  
Great Britain and  
Northern Ireland)

My turn in this Chair has come in the middle of our spring session. Thanks to the efficiency of my predecessors, Ambassador Batsanov and those who went before him, the structure of the Conference's work is already well in place. The ad hoc committees on the nuclear test ban, on chemical weapons, on prevention of an arms race in outer space, on effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons and on radiological weapons are all functioning smoothly. Informal plenary discussions on the cessation of the nuclear arms race and nuclear disarmament and on prevention of nuclear war are being held on a regular basis. Ambassador Marín Bosch of Mexico has been undertaking consultations as Special Coordinator on the comprehensive programme of disarmament and I shall ask him to continue to do that. Ambassador Kamal of Pakistan has already held two open-ended consultations on improved and effective functioning and has announced plans for further such meetings. I myself shall continue the practice of my predecessors in holding consultations on proposals for expanding the membership of the Conference. In other words, this Conference is on automatic control and it is left to the pilot to make only small adjustments should any become necessary.

CD/PV.594

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(Mr. Hogg, United Kingdom)

The prevention of an arms race in outer space and the banning of radiological weapons are also difficult but very desirable objectives. My Government contributes to the discussions of these subjects, and to the continuing work on negative security assurances, with the hope that realistic and substantive progress can be made.

(Mr. Errera, France)

Hence our aims are clear. Chemical weapons must be eliminated. Bacteriological weapons must not be produced. Existing nuclear arsenals must be reduced to the lowest level consistent with the maintenance of deterrence. The non-dissemination of nuclear weapons remains an imperative, whereas the use of nuclear energy for peaceful purposes is justified. The dissemination of ballistic technologies must be strictly controlled in so far as they may be used for aggressive aims. On the other hand, there is no reason to prevent cooperation in space for civilian and scientific purposes.

(...)

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France further recommends the development of outer-space confidence-building measures in the form of a "code of conduct" for civilian and military satellites, as it has already indicated, specifically in the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space.

(...)

We favour the adoption by the parties concerned of regional confidence-building and security measures. Information is the prime condition of confidence. Transparency and confidence-building measures, i.e. mutual information on force capabilities and strengths, and on the movements of armed forces, reduce the sense of threat and paves the way for disarmament proper. For that, a framework is needed, which may be a regional organization, and means of inspection in situ and by satellite are needed. France would be willing to disclose information available to it to regional

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agencies responsible for transparency. It would favour the transmission to such regional agencies of the means of observation, in particular those in outer space that may be available to Europe and the United Nations.

(Mr. Benhima, Morocco)

The prevention of the arms race in outer space is among the most crucial issues on which the Conference's effectiveness will one day be determined. The subject has become more and more important in view of the rapid development of space exploration technology and especially the increasingly obvious desire to use space for military purposes. In the face of this threat, we must do our utmost to safeguard this common heritage of mankind from the slightest risk of militarization. It is clear that space studies must be encouraged and programmes for the peaceful use of outer space supported. The legal void surrounding the use of space must be filled as rapidly as possible.

(Mr. Hlaing, Myanmar)

The Ad Hoc Committee on the Prevention of an Arms Race in Outer Space has been re-established this year with the same mandate as in the past. However, we find it regrettable that it was not possible to improve the mandate of the previous years. Our delegation looks with keen interest upon the initiative of Ambassador García Moritán of Argentina which has enabled the Committee to dwell on the subject in a more practical way.

(Mr. Shannon, Canada)

Last year, I had the honour to be appointed Chairman of the Ad Hoc Committee on outer space. It was a difficult task. We are very pleased that this year, under the able chairmanship of Ambassador Roberto García Moritán of Argentina, the Ad Hoc Committee has begun to focus in greater detail on questions of terminology and definition. It has always been Canada's view that we can only achieve progress on this item if we have first been able to agree on the meaning of certain of the basic concepts involved. Two of my predecessors as Canadian Ambassador here had earlier addressed this issue in this forum and I am delighted now to be able to report to them that,

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however informally, the Committee is tackling the question of terminology and definitions through a friend of the Chair, Mr. Monkton of the United Kingdom delegation.

Canada is one among those countries which, without wanting to confuse the two distinct mandates of this Conference and of the United Nations Committee on the Peaceful Uses of Outer Space, believe that there may be areas of complementarity in which each can learn from the other. The question of establishing an agreed terminology and definitions is one such area, as has been pointed out by the friend of the Chair who is coordinating this particular subject, and I wish him well. I am also pleased that another friend of the Chair will be exploring the feasibility of ensuring increased transparency in the use of space, as a first step toward confidence-building measures. I want to take this opportunity to welcome the Soviet working paper, tabled as document CD/OS/WP.45, which we consider to be a useful compendium of existing confidence-building proposals and which we hope may help us to focus on the most promising avenues which should be followed in this area. Canada's interest in the peaceful use of space remains very high. Many of you will be aware that in October 1991 we will host a meeting of the International Astronomical Federation in Montreal and that, immediately before the IAF meeting, there will be a workshop for developing countries on space, co-sponsored by Canada, the United Nations and IAF.

(Mrs. Theorin, Sweden)

The partial test-ban Treaty, which bans nuclear-weapon test explosions, and any other nuclear explosions, in the atmosphere, in outer space and under water, has, for obvious reasons, reduced radioactive contamination of the atmosphere. As a disarmament measure, however, it has been of marginal importance since the Treaty does not contain provisions prohibiting underground nuclear explosions.

(Mr. Neagu, Romania)

We support all measures that have been agreed upon bilaterally or multilaterally to prevent the introduction of weapons and weapons systems in outer space. We appreciate the fact that the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space has resumed its activity with a more targeted orientation. In the same spirit we commend the work of the Ad Hoc Committee on Radiological Weapons.

(Mr. Errera, France)

I have asked for the floor today in order to introduce a working paper (distributed under number CD/1092) relating to the prevention of an arms race in space. In its recent arms control and disarmament plan which I had occasion to present here on 6 June last, France proposed the development of a regime of confidence-building measures in space, in particular in the form of a "code of conduct in space" applicable to civilian and military satellites. The subject of course is not a new one. It has already been discussed within the Conference, and in particular in its Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, where numerous proposals have been put forward since 1985, in particular by the Federal Republic of Germany, Canada, Australia, Poland, the Soviet Union and Argentina. This work demonstrated that this subject was the focus of growing interest and support. Each of us is aware of the difficulties involved in a total prohibition of the deployment of arms in space. How does one define these arms, for example, and above all how does one verify such a prohibition?

On the other hand, by means of confidence-building measures - the development of registration and rules of behaviour - the purpose is to enhance the security of space activities by preventing any aggressive use of space. Experience acquired on Earth does indeed demonstrate that the implementation of confidence-building and security-building measures can constitute a fundamental stage leading subsequently to disarmament. This action, in our view, would not only be in keeping with the interests of all space Powers, but would contribute to ensuring international stability and help to permit development in space cooperation for civilian and scientific purposes, in the interests of all States, in conformity with the spirit of the 1967 outer space Treaty. That is why, among all the topics under discussion in the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, France is convinced that it is confidence-building measures which offer the best prospects for the near future.

France also proposed, in its disarmament plan of 3 June, the creation of regional agencies responsible for transparency, which would benefit from access to satellite images in the context of regional agreements on confidence and security. The usefulness of data derived from space observation in the monitoring of disarmament agreements or crisis management needs no further demonstration. Moreover, the international community increasingly recognizes the need for a regional approach to security and disarmament. France is therefore ready, for its part, to make a contribution to the establishment of such agencies, in particular through the training of specialists in photo-interpretation, the definition of reception facilities which could be made available to such agencies, and cooperation with other producers of space images to supply the agencies with the data needed for their operations.

The working paper submitted by my delegation provides further details of these various proposals. It will also be the subject of a more elaborate presentation by an expert from the National Centre for Space Studies, Mr. Pierre-Henri Pisani, at the next meeting of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space on 6 August next. I hope that this contribution will make it possible for the Committee to move forward in its work.

(Mr. Neagu, Romania)

(translated from French): Two weeks ago, in the statement which I had the honour to deliver in this important forum, the Romanian delegation was pleased to note the imminent signature of the Treaty on the reduction of strategic armaments. Now, my delegation would like to join all the other delegations in praising the conclusion of this document by the Presidents of the United States and the USSR, George Bush and Mikhail Gorbachev. For the record, I would also like to state that Romania considers this to be one of the greatest achievements on the road to disarmament.

(...)

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Romania welcomes the intention of the United States of America and the USSR to carry on this process that has just begun in order to undertake new negotiations in the direction of further strengthening strategic stability, inter alia, in outer space. It hopes that such efforts will lead to the conclusion of new substantive agreements which uphold the structural changes and positive evolutions of our time. This, of course, will also be of great help for our negotiations in the Conference.

(Mr. Benhima, Morocco)

The arms race in outer space remains a major source of concern for the international community. If we are not careful the growing trend towards its militarization would present serious threats to international détente, which is now being consolidated, and would ruin progress achieved in other areas. Everything possible must therefore be done to preserve this common heritage of all of mankind and to devote all mankind's energies to ensuring access to the peaceful uses of outer space. To realize this ambition and achieve the goal related to all issues connected with nuclear disarmament, it is imperative for the Conference to go beyond the stage of general debates and discussions and initiate substantive work on all issues without further delay. The demand for negotiations dealing with these fundamental issues is repeated at each session. As the sole multilateral negotiating forum in this field, the Conference has vested in it a responsibility that it cannot shirk or mask, and has a mandate that it must fulfil.

(Mr. Ledogar, United States)

Let me turn now to an area where our performance has been less than outstanding - the Conference's annual report-writing process. This process threatens to get out of control. I submit that we spend too much time (approximately 3 of our 24 working weeks) and too much money (well more than \$US 1,000 a page) on report-writing. The time has come for reform.

During my recent CD presidency I made a serious attempt to reduce the CD report-writing effort in order to allocate more time to our CW negotiations. I suggested preparing a relatively brief report, based on the requirements of rule 45. This would have meant dropping the compilation of groups' political views on each agenda item - the most time-consuming, contentious and wasteful part of the report-writing effort. It replicates information available elsewhere, and it generates large quantities of political smoke and fire more appropriate to the General Assembly than to the more practical negotiating body we work in. Furthermore, the CD secretariat asked that the CW portion of the report be shortened by dropping appendix II, thereby saving a significant amount of money.

While these objectives had broad support, some participants insisted there could be no changes in cherished routines. Only in the case of the radiological weapons and outer space ad hoc committee reports have we thus far seen efforts made to shorten reports or eliminate political wrangling. Everywhere else we see business as usual - or worse.

CD/PV.603

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Mr. ZHRAN (Egypt)

Egypt's interest in disarmament matters and in our Conference stems from basic principles that are deeply rooted in our Arab and African identity and inherent in our membership of the Organization of the Islamic Conference and the Non-Aligned Movement, of which Egypt was one of the founder members and in the work of which it is still playing an active role, particularly in condemning the use of force in international relations and in advocating the settlement of disputes by peaceful means, the prohibition of the arms race in outer space, the cessation of the nuclear arms race and the elimination of all weapons of mass destruction.

President:

Mr. Horacio Arteaga

(Venezuela)

On the list of speakers for today I have the representatives of Italy, the Democratic People's Republic of Korea, India, who will do so to introduce the report of the Ad Hoc Committee on a Nuclear Test Ban, Argentina, on behalf of the Chairman of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, and the Republic of Korea.

(...)

CD/PV.604

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The PRESIDENT (translated from Spanish): I thank the representative of India for introducing the report that appears in document CD/1106. I should also like to sincerely congratulate the delegation of India, responsible for the chairmanship, on the conclusion of the work of that subsidiary body. I now call on the distinguished representative of Argentina, Mr. Grossi, who, on behalf of the Chairman of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, will introduce the report of that Committee, which is contained in document CD/1105.

Mr. GROSSI (Argentina) (translated from Spanish): Allow me at the outset to extend the most cordial welcome on behalf of my Ambassador and my delegation to the ambassadors of India, Prakash Shah, Egypt, Mounir Zahran, and Brazil, Celso Amorim, who are joining this Conference at an especially important time in its negotiations. We are certain that their presence will give impetus and creativity to this multilateral negotiating body on disarmament. As of now we pledge our firmest support and cooperation in our joint efforts.

On behalf of the Chairman of the Ad Hoc Committee on item 5 of the agenda of the Conference on Disarmament, Ambassador Roberto García Moritán, I have the signal honour this morning to put before the Conference for its consideration the report of the Ad Hoc Committee entrusted with the consideration of item 5 on the agenda of our organ, Prevention of an arms race in outer space, contained in document CD/1105. In so doing my delegation would briefly like to stress some aspects related to the report we are introducing today. These pertain to the task we have been accomplishing during this session in the exercise of the chairmanship of this subsidiary body. Firstly, we believe that the report we are introducing this morning

(Cont'd)

(Mr. Grossi, Argentina)

contains certain elements enabling us to assert that the Committee has worked hard in an attempt to find areas of consensus in a field which is not always easy. A reading of the report will indicate that the members of the Committee considered it appropriate this year to adopt a more dynamic and practical methodology which would enable them to tackle the items before the Committee in a more detailed manner. The Chair thus drew up a series of lists of topics, for the purpose of bringing some order into the debate and also to single out those issues which incontestably enjoy the attention of delegations, leaving aside those which do not seem to awaken such interest. The lists have been annexed to the report and might perhaps serve to guide future debates within this Committee.

For the first time since its establishment in 1985, the Committee made use of the device of friends of the Chair, in order to tackle three specific subjects. Respectively, these were important terminological issues for the prevention of an arms race in outer space, aspects connected with verification of anti-satellite weapons, and confidence-building measures, including improvements in the existing and future databases in the space field. On behalf of the Chairman of the Ad Hoc Committee, I should like most especially to express my gratitude for the valuable cooperation extended in their capacity as friends of the Chair by Mr. Anthony Monckton of the delegation of the United Kingdom, Mr. Mahmoud Karem of the delegation of Egypt and Mr. Mikhail Antyukhin of the delegation of the Soviet Union, who coordinated the consultations related to the three items indicated in the order I mentioned. The results of their efforts can be consulted by delegations in the shape of the working documents which will contain their respective reports. The work of the group coordinators, Mr. Christer Elm of the delegation of Sweden for the Group of 21, Mr. Marc Finaud of the delegation of France for the Western Group and Mr. Plamen Grozdanov of Bulgaria and Mr. Mikhail Antyukhin of the Soviet Union for the Group of East European and other States, as well as the distinguished delegate of China to the Committee, Mr. Zhan Yang, also deserve all our thanks. We also most warmly thank the Secretary of the Committee, Mr. Vladimir Bogomolov.

The prevention of an arms race in outer space is a subject of crucial importance for the security of all States, whether space Powers or not. The Ad Hoc Committee which this Conference on Disarmament established six years ago for the first time reflects that interest and attempts to make progress in conformity with its programme of work towards the definition of areas of convergence. We hope that the work that we have done this year has contributed to that lofty goal.

President: Mr. Horacio Arteaga (Venezuela)

(translated from Spanish): We move on to the report of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, which appears in document CD/1105. As there are no objections, we will adopt it.

It was so decided.

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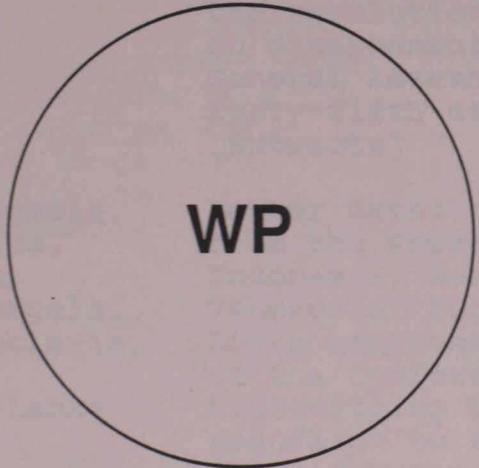
We have come to the conclusion of the 1991 session of the Conference on Disarmament. I may say that this year's work in this forum has been stimulated by the new international climate of dialogue, openness and cooperation prevailing among nations, major agreements in the field of arms control and other initiatives aimed at strengthening the non-proliferation regime. At the start of what could be an era of new opportunities, at the beginning of history instead of the end as it has been called, the international community should encourage a renewed commitment to, and the strengthening of, the peace and security mechanisms created under the Charter of the United Nations. Thus, at present, when we speak of a new world order - when, under unprecedented circumstances, conditions exist for promoting understanding, solidarity and just international relations - there is a need for efforts to replace old approaches aiming at absolute security by structures based on common security. In this context the Disarmament Conference has a significant contribution to make. In this Conference we have noted a considerable shift towards positions that are more constructive and conciliatory. I think that what could be and I hope will be an auspicious trend should encourage future progress in achieving agreements on the various topics on our agenda.

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Another area that will require additional effort by the Conference is that relating to the prevention of an arms race in outer space. The work of the Ad Hoc Committee this year has been fairly fruitful, allowing more appropriate and in-depth analysis of the aspects relating to this topic. A good number of proposals have been submitted on measures to prevent an arms race in outer space, and this should encourage the Committee to step up its efforts to achieve concrete agreements.

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PART I. ETHNOLOGY AND ETHNOLINGUISTICS

1948  
The Secretary-General of the International Labour Office  
Geneva



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Geneva



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CONFERENCE ON DISARMAMENT (CD)

1991

<u>Reference</u>	<u>Nation</u>	<u>Title</u>	<u>Date</u>
CD/1045	UN Secretary- General	Letter dated 14 January 1991 from the Secretary-General of the United Nations to the President of the Conference on Disarmament transmitting the resolutions and decisions on disarmament adopted by the General Assembly at its forty-fifth session. [Extracts]	17.01.1991
CD/1054	Indonesia, Mexico, Peru, Venezuela, Yugoslavia, and Sri Lanka	Letter dated 4 February 1991 from the Representatives of Indonesia, Mexico, Peru, Venezuela, Yugoslavia and Sri Lanka addressed to the President of the Conference on Disarmament transmitting Draft Protocol II of amendment to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water. [Extracts]	04.02.1991
CD/1059		Mandate for an <u>Ad Hoc</u> Committee under item 5 of the agenda of the Conference on Disarmament entitled "Prevention of an Arms Race in Outer Space".	14.02.1991
CD/1073	Canada	Letter dated 8 March 1991 from the Permanent Represen- tative of Canada addressed to the Secretary-General of the Conference on Disarmament transmitting Compendia on Outer Space comprising plenary	12.03.1991

statements and working papers from the 1991 session of the Conference on Disarmament.

- CD/1079 France Letter dated 3 June 1991 03.06.1991  
from the Representative of France addressed to the President of the Conference on Disarmament transmitting the text of the arms control and disarmament plan submitted by France on 3 June 1991.  
[Extracts]
- CD/1087 United States Letter dated 8 July 1991 08.07.1991  
from the Deputy Representative of the United States of America addressed to the President of the Conference on Disarmament transmitting a statement delivered on 25 June 1991, by Ambassador David J. Smith, Chief United States Negotiator for the Defense and Space Talks, in the Ad Hoc Committee on Prevention of an Arms Race in Outer Space of the Conference on Disarmament.
- CD/1088 Canada Letter dated 27 June 1991 08.07.1991  
from the Permanent Representative of Canada addressed to the Secretary-General of the Conference on Disarmament transmitting the Arms Control Verification Occasional Paper no. 7, entitled "Satellites Harming Other Satellites".
- CD/1089 Sweden Letter dated 9 July 1991 25.07.1991  
CD/NTB/  
WP.14 from the Head of the Swedish Delegation addressed to the Secretary-General of the Conference on Disarmament transmitting the text of a Draft Comprehensive Test-Ban Treaty and its Annexed Protocols. [Extracts]

CD/1092 CD/OS/ WP.46	France	Working Paper - France. Prevention of an Arms Race in Space : Confidence-Building Measures and Transparency.	01.08.1991
CD/1095	Canada	Letter dated 5 August address- ed to the Secretary-General of the Conference on Disarm- ament from the Permanent Repre- sentative of Canada, transmit- ting the Arms Control Verifica- tion Occasional Paper, no. 6, entitled "Overhead Imaging for Verification and Peacekeeping: Three Studies".	07.08.1991
CD/1105	AHCOS	Report of the <u>Ad Hoc</u> Committee on Prevention of an Arms Race in Outer Space.	23.08.1991







# CONFERENCE ON DISARMAMENT

CD/1045

17 January 1991

Original: ENGLISH

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LETTER DATED 14 JANUARY 1991 FROM THE SECRETARY-GENERAL OF THE UNITED NATIONS TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE RESOLUTIONS AND DECISIONS ON DISARMAMENT ADOPTED BY THE GENERAL ASSEMBLY AT ITS FORTY-FIFTH SESSION

I have the honour to transmit herewith the texts of the resolutions adopted by the General Assembly at its forty-fifth session, which entrust specific responsibilities to the Conference on Disarmament in 1991. The relevant provisions of those resolutions are reproduced in the Annex.

For the information of the Conference, I also have the honour to transmit herewith other resolutions and decisions, dealing with or related to disarmament matters, adopted by the General Assembly at its forty-fifth session.

(Signed) Javier Pérez de Cuéllar

## ANNEX

I. Resolutions dealing with disarmament matters(A) Resolutions that entrust specific responsibilities to the Conference on Disarmament

At its forty-fifth session, the General Assembly adopted the following resolutions entrusting specific responsibilities to the Conference on Disarmament:

(...)

45/55 A "Prevention of an arms race in outer space"

page 4

(4) In resolution 45/55 A, operative paragraph 5 reiterates that the Conference on Disarmament, as the single multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects; operative paragraph 6 requests the Conference on Disarmament to consider as a matter of priority the question of preventing an arms race in outer space; operative paragraph 7 also requests the Conference on Disarmament to intensify its consideration of the question of the prevention of an arms race in outer space in all its aspects, building upon areas of convergence and taking into account relevant proposals and initiatives, including those presented in the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space at the 1990 session of the Conference and at the forty-fifth session of the General Assembly; operative paragraph 8 recognizes, in this regard, the relevance of considering measures on confidence-building and greater transparency and openness in space as stated in report of the Ad Hoc Committee; operative paragraph 9 further requests the Conference on Disarmament to re-establish an ad hoc committee with an adequate mandate at the beginning of its 1991 session and to continue building upon areas of convergence with a view to undertaking negotiations for the conclusion of an agreement or agreements as appropriate, to prevent an arms race in outer space in all its aspects; and operative paragraph 10 urges the Union of Soviet Socialist Republics and the United States of America to pursue intensively their bilateral negotiations in a constructive spirit with a view to reaching early agreement for preventing an arms race in outer space, and to advise the Conference on Disarmament periodically of the progress of their bilateral sessions so as to facilitate its work.

General Assembly

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GENERAL

(b) Other resolutions and decisions dealing with disarmament matters

At the forty-fifth session, the General Assembly also adopted the following resolutions dealing with disarmament matters:

Forty-fifth session  
(...)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

45/50 "Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water"

(...)

45/55 B "Confidence-building measures in outer space"

(...)

45/58 B "Bilateral nuclear-arms negotiations"

(...)

45/58 H "Bilateral nuclear-arms negotiations"

(...)

45/62 A "Declaration of the 1990s as the Third Disarmament Decade"

## II. Resolutions relating to disarmament matters

It should be noted that, at its forty-fifth session, the General Assembly adopted the following resolutions relating to disarmament matters:

(...)

45/72 "International co-operation in the peaceful uses of outer space"



General Assembly

Distr.  
GENERAL

A/RES/45/50  
13 December 1990

Forty-fifth session  
Agenda item 47

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/45/769)]

45/50. Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water

The General Assembly,

Recalling its resolution 44/106 of 15 December 1989,

Reiterating its conviction that a comprehensive nuclear-test-ban treaty is the highest-priority measure for the cessation of the nuclear arms race and for the achievement of the objective of nuclear disarmament,

Recalling also its resolution 1910 (XVIII) of 27 November 1963, in which it noted with approval the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, 1/ signed on 5 August 1963, and requested the Conference of the Eighteen-Nation Committee on Disarmament 2/ to continue with a sense of urgency its negotiations to achieve the objectives set forth in the preamble to the Treaty,

Recalling further that more than one third of the parties to the Treaty have requested the Depositary Governments to convene a conference to consider an amendment that would convert the Treaty into a comprehensive test-ban treaty,

1/ United Nations, Treaty Series, vol. 480, No. 6964.

2/ The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

Reiterating also its conviction that such a conference will facilitate the attainment of the objectives set forth in the Treaty and thus serve to strengthen it.

Noting with satisfaction that the meeting for the organization of the Amendment Conference of the States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water was held in New York from 29 May to 8 June 1990, and taking note of the report of that meeting, 1/

1. Notes with satisfaction that the Amendment Conference of the States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water will be held in New York from 7 to 18 January 1991;
2. Calls upon all parties to the Treaty to participate in, and to contribute to the success of, the Amendment Conference for the achievement of a comprehensive nuclear-test ban at an early date, as an indispensable measure towards implementation of their undertakings in the preamble to the Treaty;
3. Reiterates its conviction that, pending the conclusion of a comprehensive nuclear-test-ban treaty, the nuclear-weapon States should suspend all nuclear-test explosions through an agreed moratorium or unilateral moratoria;
4. Recommends that arrangements be made to ensure that intensive efforts continue, under the auspices of the Amendment Conference, until a comprehensive nuclear-test-ban treaty is achieved;
5. Recommends also that the Amendment Conference establish a working group, or other means it deems appropriate, to study, inter alia, the organization of control, institutional mechanisms and legal aspects of a comprehensive nuclear-test-ban treaty and to report its conclusions to the Conference;
6. Stresses the importance of ensuring adequate co-ordination among the various negotiating forums dealing with a comprehensive nuclear-test-ban treaty;
7. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water".

54th plenary meeting

4 December 1990



General Assembly

Distr.  
GENERAL

A/RES/45/55  
13 December 1990

Forty-fifth session  
Agenda item 53

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/45/775)]

45/55. Prevention of an arms race in outer space

A

Prevention of an arms race in outer space

The General Assembly,

Recognizing the common interest of all mankind in the exploration and use of outer space for peaceful purposes,

Reaffirming the will of all States that the exploration and use of outer space, including the Moon and other celestial bodies, shall be for peaceful purposes, shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind,

Reaffirming also provisions of articles III and IV of the Treaty on Principles governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, 1/

Recalling the obligation of all States to observe the provisions of the charter of the United Nations regarding the use or threat of use of force in their international relations, including in their space activities,

1/ Resolution 2222 (XXI), annex.

Reaffirming further paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly, 2/ in which it is stated that in order to prevent an arms race in outer space further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty,

Taking note of its previous resolutions on this issue and of the Declaration adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, 3/ and taking note also of the proposals submitted to the General Assembly at its tenth special session and at its regular sessions, and of the recommendations made to the competent organs of the United Nations and to the Conference on Disarmament,

Recognizing the grave danger for international peace and security of an arms race in outer space and of developments contributing to it,

Emphasizing the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space, including bilateral agreements, and with the existing legal régime concerning the use of outer space,

Noting that bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America have continued since 1985 with the declared objective of working out effective agreements aimed, inter alia, at preventing an arms race in outer space,

Welcoming the re-establishment of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space at the 1990 session of the Conference on Disarmament, in the exercise of the negotiating responsibilities of this sole multilateral negotiating body on disarmament, to continue to examine and identify, through substantive and general consideration, issues relevant to the prevention of an arms race in outer space,

Noting also that the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, taking into account its previous efforts since its establishment in 1985, continued the examination and identification of various issues, existing agreements and existing proposals, as well as future initiatives relevant to the prevention of an arms race in outer space, 4/ and that this contributed to a better understanding of a number of problems and to a clearer perception of the various positions,

Emphasizing the mutually complementary nature of bilateral and multilateral efforts in the field of preventing an arms race in outer space, and hoping that concrete results will emerge from these efforts as soon as possible,

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2/ Resolution S-10/2.

3/ See A/44/551-S/20870, annex.

4/ See Official Records of the General Assembly, Forty-fifth Session, Supplement No. 27 (A/45/27), para. 118.

Convinced that further measures should be examined in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space,

1. Reaffirms the importance and urgency of preventing an arms race in outer space and the readiness of all States to contribute to that common objective, in conformity with the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies;
2. Recognizes, as stated in the report of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, that the legal régime applicable to outer space by itself does not guarantee the prevention of an arms race in outer space, that this legal régime plays a significant role in the prevention of an arms race in that environment, the need to consolidate and reinforce that régime and enhance its effectiveness, and the importance of the strict compliance with existing agreements, both bilateral and multilateral; 5/
3. Emphasizes the necessity of further measures with appropriate and effective provisions for verification to prevent an arms race in outer space;
4. Calls upon all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space and to refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international co-operation;
5. Reiterates that the Conference on Disarmament, as the single multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects;
6. Requests the Conference on Disarmament to consider as a matter of priority the question of preventing an arms race in outer space;
7. Also requests the Conference on Disarmament to intensify its consideration of the question of the prevention of an arms race in outer space in all its aspects, building upon areas of convergence and taking into account relevant proposals and initiatives, including those presented in the Ad Hoc Committee at the 1990 session of the Conference and at the forty-fifth session of the General Assembly;
8. Recognizes, in this regard, the relevance of considering measures on confidence-building and greater transparency and openness in space as stated in the report of the Ad Hoc Committee;

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5/ Ibid., para. 63 of the quoted text.

9. Further requests the Conference on Disarmament to re-establish an ad hoc committee with an adequate mandate at the beginning of its 1991 session and to continue building upon areas of convergence with a view to undertaking negotiations for the conclusion of an agreement or agreements, as appropriate, to prevent an arms race in outer space in all its aspects;

10. Urges the Union of Soviet Socialist Republics and the United States of America to pursue intensively their bilateral negotiations in a constructive spirit with a view to reaching early agreement for preventing an arms race in outer space, and to advise the Conference on Disarmament periodically of the progress of their bilateral sessions so as to facilitate its work;

11. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Prevention of an arms race in outer space".

54th plenary meeting  
4 December 1990

B

Confidence-building measures in outer space

The General Assembly,

Conscious of the importance and urgency of preventing an arms race in outer space,

Recalling that, in accordance with the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, 1/ the exploration and use of outer space, including the Moon and other celestial bodies, shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind,

Aware of the fact that more and more States are taking an active interest in outer space or participating in important space programmes for the exploration and exploitation of that environment,

Recognizing, in this context, the relevancy space has gained as an important factor for the socio-economic development of many States, in addition to its undeniable role in security issues,

Emphasizing that the growing use of outer space has increased the need for more transparency as well as confidence-building measures,

Recalling that the international community has unanimously recognized the importance and usefulness of confidence-building measures, which can significantly contribute to the promotion of peace and security and disarmament, in particular through General Assembly resolutions 43/78 H of 7 December 1988 and 44/116 U of 15 December 1989,

Noting the important work being carried out by the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space of the Conference on Disarmament, which contributes to identifying potential areas of confidence-building measures,

Aware of the existence of a number of different proposals and initiatives addressing this subject, which attests to a growing convergence of views,

1. Reaffirms the importance of confidence-building measures as means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space;
2. Recognizes their applicability in the space environment under specific criteria yet to be defined;
3. Requests the Secretary-General to carry out, with the assistance of government experts, a study on the specific aspects related to the application of different confidence-building measures in outer space, including the different technologies available, possibilities for defining appropriate mechanisms of international co-operation in specific areas of interest and so on, and to report thereon to the General Assembly at its forty-eighth session.

54th plenary meeting  
4 December 1990



General Assembly

Distr.  
GENERAL

A/RES/45/58  
21 December 1990

Forty-fifth session  
Agenda item 56

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/45/778)]

45/58. General and complete disarmament

(...)

A/RES/45/58  
Page 2

B

Bilateral nuclear-arms negotiations

The General Assembly,

Recalling its relevant resolutions, in particular resolutions 43/75 A of 7 December 1988 and 44/116 K of 15 December 1989,

Stressing the importance of the strengthening of international security through disarmament and the halting of the qualitative and quantitative escalation of the arms race,

Mindful that it is the responsibility and obligation of all States to speed up the emerging process of relaxation of international tension and to channel it in a direction that would benefit all and that lasting peace and security can be achieved only by pooling the efforts of the international community and with all States participating and contributing on the basis of equality,

Stressing also that general and complete disarmament under effective international control is by its very nature unattainable unless all States join in its implementation,

Emphasizing that nuclear disarmament and the prevention of nuclear war remains one of the principal tasks of our times,

Concerned, however, that the world is still threatened by the massive nuclear arsenals, which are being further refined and augmented, and that the way for nuclear disarmament and the prevention of nuclear war lies in the nuclear-weapon Powers' embracing the objective of the total elimination of nuclear weapons,

Aware of the fact that the disarmament process cannot be carried out without a contribution by all States and especially by the Union of Soviet Socialist Republics and the United States of America and by military alliances, which have the greatest responsibility in that regard,

(...)

Stressing that the co-operation between the Union of Soviet Socialist Republics and the United States of America contributes to the process of general and complete disarmament and the strengthening of international security,

Noting that, in a joint statement of 1 June 1990, 5/ the two Presidents reaffirmed their determination to have the Treaty on the Reduction and Limitation of Strategic Offensive Arms completed and ready for signature by the end of 1990 and, following the signature of that Treaty, to pursue further negotiations on nuclear and space arms and to give these future negotiations the highest priority,

Affirming that bilateral and multilateral negotiations on disarmament should facilitate and complement each other,

1. Welcomes the positive developments in the bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America on disarmament issues, including those relating to the Treaty on the Reduction and Limitation of Strategic Offensive Arms, as well as the signing of the Protocols to the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapon Tests, 6/ signed on 3 July 1974, and the Treaty between the United States of America and the Union of Soviet Socialist Republics on Underground Nuclear Explosions for Peaceful Purposes, 7/ signed on 28 May 1976, and their ratification;

2. Calls upon the Union of Soviet Socialist Republics and the United States of America to exert every effort to achieve the reduction in strategic offensive arms by signing the Treaty on the Reduction and Limitation of Strategic Offensive Arms by the end of 1990 as part of the process leading to the complete elimination of nuclear weapons and, as a matter of urgency, to intensify their efforts to achieve agreements in other areas, in particular, the issues of a comprehensive nuclear-test ban and agreement to ensure that outer space is kept free of all weapons;

3. Invites the Union of Soviet Socialist Republics and the United States of America to keep other States Members of the United Nations duly informed of progress in their negotiations, in accordance with paragraph 114 of the Final Document of the Tenth Special Session of the General Assembly; 1/

4. Encourages and supports the bilateral negotiations and expects them to be successfully concluded.

54th plenary meeting

4 December 1990

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5/ See CD/1004 and CD/1005.

6/ Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 27 (A/9627), annex II, document CCD/431.

7/ The United Nations Disarmament Yearbook, vol. I: 1976 (United Nations publication, Sales No. E.77.IX.2), appendix III.

H

**Bilateral nuclear-arms negotiations**

The General Assembly,

Recalling that at their meeting at Geneva in November 1985 the leaders of the Union of Soviet Socialist Republics and the United States of America committed themselves to the objective of working out effective agreements aimed at preventing an arms race in space and terminating it on Earth, 10/

Believing that, through negotiations pursued in a spirit of flexibility and with full account taken of the security interests of all States, it is possible to achieve far-reaching and effectively verifiable agreements,

Firmly convinced that early agreement in these negotiations, in accordance with the principle of undiminished security at the lowest possible level of armaments, would be of crucial importance for the strengthening of international peace and security,

Noting that, in a joint statement of 1 June 1990, 5/ the two Presidents reaffirmed their determination to have the Treaty on the Reduction and Limitation of Strategic Offensive Arms completed and ready for signature by the end of 1990,

Noting also that in a further statement of the same date 5/ the Union of Soviet Socialist Republics and the United States of America agreed to pursue, following the signature of the Treaty, new negotiations on nuclear and space arms and further enhancing strategic stability and to give these future negotiations the highest priority,

Convinced that the international community should encourage the Government of the Union of Soviet Socialist Republics and the Government of the United States of America in their endeavours, taking into account both the importance and the complexity of their negotiations,

1. Welcomes the fact that the provisions of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Nuclear Missiles 11/ are being implemented by the Soviet Union and the United States;

2. Also welcomes the prospect of an agreement on the Treaty on the Reduction and Limitation of Strategic Offensive Arms in the near future;

3. Further welcomes the agreement between the Union of Soviet Socialist Republics and the United States of America to pursue new negotiations on nuclear and space arms and on further enhancing strategic stability, following the signature of the Treaty on the Reduction and Limitation of Strategic Offensive Arms;

4. Calls upon the Government of the Union of Soviet Socialist Republics and the Government of the United States of America to spare no effort in seeking, in accordance with the security interests of all States and the universal desire for progress towards disarmament, the attainment of all the agreed objectives in the negotiations;

5. Invites the two Governments concerned to keep other States Members of the United Nations duly informed of progress in their negotiations, in accordance with paragraph 114 of the Final Document of the Tenth Special Session of the General Assembly; 1/

6. Expresses its firmest possible encouragement and support for the bilateral negotiations and their successful conclusion.

54th plenary meeting

4 December 1990



General Assembly

Distr.  
GENERAL

A/RES/45/62  
19 December 1990

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Forty-fifth session  
Agenda item 60

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/45/782)]

- 45/62. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session

A

Declaration of the 1990s as the Third Disarmament Decade

The General Assembly,

Recalling its resolution 35/46 of 3 December 1980, in which it declared the 1980s as the Second Disarmament Decade,

Recalling also its resolution 34/75 of 11 December 1979, in which it directed the Disarmament Commission to prepare elements of a draft resolution entitled "Declaration of the 1980s as the Second Disarmament Decade" for submission to the General Assembly at its thirty-fifth session for consideration and adoption,

Bearing in mind that the Second Disarmament Decade declared by its resolution 35/46 has come to an end,

Reaffirming its resolution 43/78 L of 7 December 1988, in which it decided to declare the decade of the 1990s as the Third Disarmament Decade,

Recalling further its resolution 44/119 H of 15 December 1989, in which it directed the Disarmament Commission, at its 1990 substantive session, to finalize the preparation of elements of a draft resolution to be entitled "Declaration of the 1990s as the Third Disarmament Decade" and to submit them to the General Assembly at its forty-fifth session for consideration and adoption,

Reaffirming also the responsibility of the United Nations in the attainment of disarmament,

Noting the progress in the arms limitation and disarmament talks between the Union of Soviet Socialist Republics and the United States of America, as well as other general recent positive developments in international relations and their positive impact on the attainment of global peace and security,

Desirous of maintaining the current momentum in the disarmament process,

Convinced that a third disarmament decade will accelerate the disarmament process,

1. Welcomes with satisfaction the work of the Disarmament Commission at its 1990 session, at which it successfully concluded a draft Declaration of the 1990s as the Third Disarmament Decade; <sup>1/</sup>
2. Adopts the text of the Declaration of the 1990s as the Third Disarmament Decade adopted by the Disarmament Commission, as set forth in the annex to the present resolution;
3. Declares the 1990s as the Third Disarmament Decade;
4. Calls upon all States to support the objectives of the Decade and to pursue the activities elaborated in the Declaration of the Third Disarmament Decade;
5. Requests the Secretary-General to report as and when necessary to the General Assembly on progress made in the implementation of the Declaration of the 1990s as the Third Disarmament Decade.

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ANNEX

Declaration of the 1990s as the Third Disarmament Decade

1. The present Declaration of the 1990s as the Third Disarmament Decade is addressed to the global community and deals with the hopes and aspirations of people for lasting peace and security.
2. After a period of heightened tensions, the latter part of the decade of the 1980s saw a noticeable improvement in the way many States conducted their relations

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<sup>1/</sup> See Official Records of the General Assembly, Forty-fifth Session, Supplement No. 42 (A/45/42), para. 35.

with one another. Despite this favourable trend, the specific goals of the Second Disarmament Decade were not fully realized.

3. In a world of growing interdependence, it is essential for the international community to stimulate and deepen awareness of the common interests of the global society and of the universal interest in achieving disarmament and strengthening international peace and security. The challenges facing the international community today are enormous. Accordingly, the solution of these difficult and complex issues will require the political will of States in conducting dialogue and negotiations and in promoting international co-operation, including confidence-building measures aimed at reducing tensions and the risk of military confrontation among States, bearing in mind specific conditions prevailing in the region concerned. It will also require acknowledgement of the profound interrelationship of questions relating to disarmament, social and economic development and environmental protection.

4. The international community stands on common ground in determining to make progress in the 1990s by resolutely pursuing disarmament along with other efforts necessary for attaining genuine peace and security. As members of the international community, we have identified the following common goals. In the nuclear field, we must continue urgently to seek early reductions in, and the eventual elimination of, nuclear weapons and work towards a comprehensive nuclear-test ban. To achieve the objective of non-proliferation in all its aspects, all States are encouraged to make every effort further to strengthen the non-proliferation régime and other measures to halt and prevent the proliferation of nuclear weapons. The aim of the international community should be to promote co-operation in the peaceful use of nuclear energy on a non-discriminatory basis and under agreed and appropriate international safeguards. The prevention of an arms race in outer space remains an important area to be further addressed. Many States also see the need to address naval confidence-building measures and disarmament issues. In the conventional field, we must seek reductions in arms and armed forces in all areas of the world and, in particular, where levels of concentrations of armaments are highest. In this regard, we urgently seek the successful conclusion of the negotiations on conventional forces in Europe. We aim for continued consideration of arms transfers in all their aspects. In the chemical field, we must work for the earliest conclusion of a convention on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction. The international community also calls for strict compliance with the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925. <sup>a/</sup> As further steps forward, openness and transparency on all appropriate military matters should be developed, the scope and techniques of verification advanced, the use of science and technology for peaceful purposes promoted and non-military threats to security addressed. All other initiatives to halt and reverse the arms race, in particular the nuclear-arms race, in both its qualitative and quantitative aspects deserve careful consideration.

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<sup>a/</sup> League of Nations, Treaty Series, vol. XCIV (1929), No. 2138.

Such initiatives include the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among States of the region concerned and the creation of zones of peace under appropriate conditions defined and determined freely by the States concerned in the zone. In the pursuit of the foregoing goals, the international community acknowledges the particular responsibility of countries with the largest military arsenals. Resources freed through disarmament could be used for the benefit of a balanced world development. These goals should be included in a comprehensive programme of disarmament, which should be concluded at an appropriate time.

5. The United Nations will continue to foster multilateral co-operation for disarmament, wherein bilateral and regional efforts can be complementary and mutually supportive in attaining the purposes and principles of the United Nations. The international community can further promote disarmament through the United Nations by building upon its achievements in this field, including the Final Document of the Tenth Special Session of the General Assembly (resolution S-10/2), which was adopted by consensus.

6. The international community affirms the positive role that an informed public can play in the process of disarmament by promoting a constructive and realistic dialogue on issues related to disarmament. In this regard, the pursuit of the World Disarmament Campaign and the observance of Disarmament Week will continue to play a useful role. Reflecting a growing understanding and commitment in dealing with the global problems of peace and security, it recognizes that non-governmental organizations play an invaluable role. It also supports an enhanced role for women in developing the conditions for enduring peace.

7. As the world moves towards the twenty-first century, it is evident that future generations will need increasing knowledge and understanding of the interdependent nature of life on the planet. Education on international peace and security issues will play a fundamental part in allowing every individual to realize his or her role as a responsible member of the world community.







# CONFERENCE ON DISARMAMENT

CD/1054  
4 February 1991

Original: ENGLISH

LETTER DATED 4 FEBRUARY 1991 FROM THE REPRESENTATIVES OF INDONESIA, MEXICO, PERU, VENEZUELA, YUGOSLAVIA AND SRI LANKA ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING DRAFT PROTOCOL II OF AMENDMENT TO THE TREATY BANNING NUCLEAR WEAPON TESTS IN THE ATMOSPHERE, IN OUTER SPACE AND UNDER WATER

We have the honour to refer to our letter of 5 August 1988 containing our proposal (document CD/852) to amend the Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and under Water. During the first phase of the Amendment Conference, held in New York from 7 to 18 January of this year, our six countries, co-authors of the initiative to amend the Treaty, submitted for consideration of the Parties a draft Protocol II on verification of our proposed amendment.

During the discussion, it was suggested that, without prejudice to the decision taken by the Amendment Conference, the draft Protocol II be considered also by the Conference on Disarmament. We therefore request you that it be distributed as an official document of the Conference on Disarmament and made available to the Ad Hoc Committee on a Nuclear Test Ban for further consideration.

Finally, in view of the important contribution made in this regard by the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events, we request you that this document be made available to that Group so as to enable it to examine the relevant aspects of draft Protocol II.

(Signed) Wisber Loeis  
Ambassador  
Delegation of Indonesia to  
the Conference on Disarmament

(Signed) Miguel Marin  
Ambassador  
Delegation of Mexico to  
the Conference on Disarmament

(Signed) Oswaldo de Rivero  
Ambassador  
Delegation of Peru to  
the Conference on Disarmament

(Signed) Horacio Arteaga  
Ambassador  
Delegation of Venezuela to  
the Conference on Disarmament

(Signed) Waste Calovski  
Ambassador  
Delegation of Yugoslavia to  
the Conference on Disarmament

(Signed) Siripala Palihakkara  
First Secretary  
Delegation of Sri Lanka to  
the Conference on Disarmament

PROTOCOL II

PREAMBLE

Pursuant to and in implementation of the Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and under Water, as amended, hereinafter referred to as the Treaty, the Parties hereby agree upon the following measures to assist in the verification of compliance with the obligations assumed.

(...)

Article III. The Secretariat

(...)

9. The Secretariat shall establish the following Sections responsible for implementing verification measures pertinent to the prohibition of nuclear explosions in various environments:

(a) Section A, in the atmosphere;

(b) Section B, in outer space;

(...)

(...)

Annex 4: National data provided to the Secretariat

(...)

(...)

6. Within 12 hours after any Party launches a space vehicle, it shall provide to the Secretariat all the registry information specified in the 1975 Convention on Registration of Objects Launched into Outer Space.







# CONFERENCE ON DISARMAMENT

CD/1059  
14 February 1991

Original: ENGLISH

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Mandate for an Ad Hoc Committee under item 5 of the  
agenda of the Conference on Disarmament entitled  
"Prevention of an Arms Race in Outer Space"

(Adopted at the 582nd plenary meeting on 14 February 1991)

In the exercise of its responsibilities as the multilateral disarmament negotiating forum in accordance with paragraph 120 of the Final Document of the first special session of the General Assembly devoted to disarmament, the Conference on Disarmament decides to re-establish an Ad Hoc Committee under item 5 of its agenda entitled "Prevention of an arms Race in Outer Space".

The Conference requests the Ad Hoc Committee, in discharging that responsibility, to continue to examine, and to identify, through substantive and general consideration, issues relevant to the prevention of an arms race in outer space.

The Ad Hoc Committee, in carrying out this work, will take into account all existing agreements, existing proposals and future initiatives as well as developments which have taken place since the establishment of the Ad Hoc Committee, in 1985, and report on the progress of its work to the Conference on Disarmament before the end of its 1991 session.

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# CONFERENCE ON DISARMAMENT

CD/1073  
12 March 1991

Original: ENGLISH

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LETTER DATED 8 MARCH 1991 FROM THE PERMANENT REPRESENTATIVE OF CANADA ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING COMPENDIA ON OUTER SPACE COMPRISING PLENARY STATEMENTS AND WORKING PAPERS FROM THE 1990 SESSION OF THE CONFERENCE ON DISARMAMENT \*/

In a brief plenary statement on 14 March to the Conference on Disarmament, we will announce that we are once again making available the next in our series of compendia on outer space, comprising plenary statements and working papers from the 1990 session of the Conference. As you know, similar documents have been distributed every year since 1985 and, with recent additions, these compendia bring together documentation covering the period 1962-1990.

I should be grateful if the necessary arrangements could be made for the distribution of the compendia to the members of the Conference on Disarmament.

Yours sincerely,

(Signed) Gerald E. Shannon  
Ambassador and  
Permanent Representative

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\*/ A limited distribution of this compendia in English only has been made to the members of the Conference on Disarmament. A few additional copies are available from the Permanent Mission of Canada at Geneva.







# CONFERENCE ON DISARMAMENT

CD/1079  
3 June 1991

ENGLISH  
Original: FRENCH

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LETTER DATED 3 JUNE 1991 FROM THE REPRESENTATIVE OF FRANCE  
ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT  
TRANSMITTING THE TEXT OF THE ARMS CONTROL AND DISARMAMENT  
PLAN SUBMITTED BY FRANCE ON 3 JUNE 1991

I have the honour to send you herewith the text of the arms control and  
disarmament plan submitted by France on 3 June 1991.

I would be grateful if you would make the necessary arrangements to  
publish this text as an official document of the Conference on Disarmament and  
to ensure that it is circulated to all Member States and non-Member States  
participating in the work of the Conference.

(Signed) Gérard Errera

Ambassador  
Representative of France  
to the Conference on Disarmament

## ARMS CONTROL AND DISARMAMENT PLAN

The spread of increasingly costly and destructive weapons systems is exposing the world to growing dangers. Inequalities, injustices and the imbalance of forces are conducive to threats, the arms race, and conflicts of all kinds. The proliferation of weapons of mass destruction gives a global dimension to these dangers. The whole world, South and North alike, has a vital interest in halting this race and in checking this dangerous and ruinous proliferation. This concerns us all.

Our aims are clear. Chemical weapons must be eliminated. Bacteriological weapons must not be produced. Existing nuclear arsenals must be reduced to the lowest level consistent with the maintenance of deterrence. The non-dissemination of nuclear weapons remains an imperative, whereas the use of nuclear energy for peaceful purposes is justified. The dissemination of ballistic technologies must be strictly controlled in so far as they may be used for aggressive aims. On the other hand, there is no reason to prevent cooperation in space for civilian and scientific purposes.

(...)

(...)

4. The Missile Technology Control Régime (MTCR), which allows those now in possession of missile know-how to limit the risks of ballistic proliferation, should only be a stage towards a more general agreement, one that is geographically more extensive, better controlled and applicable to all. The agreement would lay down rules promoting civilian cooperation in space, while removing the dangers of the diversion of technology for developing a military ballistic capability. Here again, the aim would be to arrive at a situation where all States wishing to gain access to space for development purposes would cooperate in a framework guaranteeing security.

France further recommends the development of outer-space confidence-building measures in the form of a "code of conduct" for civilian and military satellites.





# CONFERENCE ON DISARMAMENT

CD/1087

8 July 1991

Original: ENGLISH

LETTER DATED 8 JULY 1991 FROM THE DEPUTY REPRESENTATIVE OF THE UNITED STATES OF AMERICA ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING A STATEMENT DELIVERED ON 25 JUNE 1991, BY AMBASSADOR DAVID J. SMITH, CHIEF UNITED STATES NEGOTIATOR FOR THE DEFENSE AND SPACE TALKS, IN THE AD HOC COMMITTEE ON PREVENTION OF AN ARMS RACE IN OUTER SPACE OF THE CONFERENCE ON DISARMAMENT

I have the honour to forward to you the attached Statement to the Outer Space Committee of the Conference on Disarmament, delivered on 25 June 1991, by Ambassador David J. Smith, Chief United States Negotiator for the Defense and Space Talks.

I request that you take the appropriate steps to register this Statement as an official document of the Conference on Disarmament and to have it distributed to all member delegations and non-member States participating in the work of the Conference.

(Signed)

M. Lyall Breckon  
Deputy Representative of the  
United States of America to  
the Conference on Disarmament

GE.91-61689/0732H

Statement to the Outer Space Committee  
of the Conference on Disarmament  
25 June 1991

by

Ambassador David J. Smith  
Chief United States Negotiator  
for the Defense and Space Talks

Mr. Chairman,

I

When I last had the privilege of addressing the Conference on Disarmament on the status of the Defense and Space Talks, I began by stressing President George Bush's words of 7 February 1990: "In the 1990s, strategic defenses make more sense than ever before." I begin this way again today because so many of the events of the 16 months since those words were spoken have proven them all the more valid.

The President was speaking at the mid-point of a two-year review of the United States Strategic Defense Initiative (SDI) at a time when many rapid changes were occurring in the world. These changes diminished our concern over the possibility of a strategic first strike with ballistic missiles against the United States relative to our growing concern over ballistic missile proliferation and accidental or unauthorized launches. Therefore, in his 29 January 1991, State of the Union Address, President Bush ordered redirection of the SDI programme to "protection from limited ballistic missile strikes, whatever their source".

Though backed by two years of study which began long before anyone imagined there would be a Persian Gulf War, the President's announcement could not be heard but through the thunder of the War. From that perspective, the results of our study and the President's decision were prescient.

President Bush recently summed it all up in a few sentences addressed to the graduating class of the United States Air Force Academy on 29 May 1991:

"We learned that missile defense works and that it promotes peace and security. In the Gulf we had the technologies of defense to pick up where theories of deterrence left off. The Patriot saved lives and helped keep the coalition together.

And while the Patriot worked well in the Gulf, we must prepare for the missiles more likely to be used by future aggressors. We cannot build a defense system that simply responds to the threats of the past."

II

Despite the overwhelming military force marshalled to enforce United Nations resolutions, notions of deterrence prevented neither the tragic war in the Gulf from starting nor ballistic missiles from being launched. SCUD missiles were fired in the opening days of conflict and targeted at civilian populations. Patriot interceptors defended troops and civilians, and greatly lessened the political terror that the SCUD attacks were designed to spread. The Patriot proved instrumental in containing the conflict, maintaining the international coalition, and possibly shortening the war. And let us not forget the most simple and important fact: the Patriot saved lives.

Yet, had these SCUD missiles been mated with chemical or nuclear warheads, the short-range Patriots could not have intercepted their targets far enough from civilian populations to provide the necessary defence. Far greater human tragedy would have occurred. Further, the SCUD is an old ballistic missile; far more capable missiles have already been developed.

The Patriot originally was designed as a point air defence weapon; it does not have the range, speed and manoeuvrability to intercept more capable, advanced types of ballistic missiles. Its success proved that defensive technology is feasible, but advanced interceptors, much more capable than the Patriot, are required to meet future crises that will involve ever more advanced missile threats.

According to the Secretary of Defense Dick Cheney, by the year 2000, in addition to the United States and Soviet Union, more than two dozen countries will have ballistic missiles; 15 of these countries will have the technical capabilities to produce their own missiles; half of these countries will have, or will be developing, nuclear capability. By 2000, 30 countries will have chemical weapons; 10 will be able to field biological weapons. Many of these countries will have ballistic missiles of various ranges; a few could achieve strategic range. In addition, as we saw in the Gulf War, ballistic missiles can be improved to add to their ranges and capabilities.

Such an environment can only be met with a broad, comprehensive strategy which includes political and diplomatic measures as well as defences. The United States is dedicated to strengthening and expanding the Missile Technology Control Regime and the Non-Proliferation Treaty, supporting the work of the Australia Group and advancing President Bush's Middle East arms control proposal. With dedication from all of us, we can expect to build upon the successes these efforts have already achieved. Still, experience and common sense suggest that these efforts alone cannot stop all proliferation. The introduction of modest, effective defences will complement the MTCR and other diplomatic efforts to deter missile proliferation.

## III

America's new approach to ballistic missile defence, announced by President Bush on 29 January, is called Global Protection Against Limited Strikes (GPALS). Half the size of the original SDI "Phase I" plan, the GPALS architecture shifts the focus of strategic ballistic missile defence away from deterrence of a strategic ballistic missile attack to protection against the emerging and limited ballistic missile threat. Because it is limited in scope and scale, GPALS will not threaten the Soviet strategic retaliatory capability, an oft-stated Soviet concern over SDI. Therefore, given improving United States-Soviet relations and growing concern for ballistic missile proliferation and accidental and unauthorized launch, GPALS represents an appropriate approach to defences based on the evolving international environment.

A GPALS defence would include various sensors and three ground- and space-based interceptors to ensure global coverage against missiles of all ranges:

- Space- and surface-based sensors to provide global, continuous surveillance and tracking, from launch to intercept, of ballistic missiles of all ranges - theatre to strategic. This is a crucial element for a successful global defence.
- Surface-based, non-nuclear, transportable, kinetic interceptors to protect United States forces deployed abroad and United States allies and friends against ballistic missiles of theatre range.
- Space-based, non-nuclear, kinetic interceptors to provide continuous, global interception capability against missiles with ranges in excess of 500-1,000 km (300-600 miles). Thus, the space-based element will protect the United States, allies and friends against both theatre and strategic missiles and will provide the broadest, most effective global coverage.
- Finally, surface-based, non-nuclear, kinetic interceptors located in the United States to protect the United States from ballistic missiles of all ranges.

## IV

Any meaningful deployment of ballistic missile defences will require a change in the legal regime established by the ABM Treaty. Therefore, although the world has changed, and our Program adjusted accordingly, our goal in the Defense and Space Talks remains consistent. We seek to negotiate a cooperative transition to allow increased reliance on strategic ballistic missile defences.

Over the six year history of our Talks, we have explained to our Soviet colleagues that, despite the best of intentions, the ABM Treaty did not yield the stability nor the reductions in strategic offensive arms its framers intended. It is not the ABM Treaty but the improved relationship

between the United States and the Soviet Union that is about to bring us the first ever agreement for stabilizing reductions in strategic offensive forces. Deployment of strategic defences would further enhance stability. We believe this argument is, and will remain, valid.

We also continue to believe that, in concert with reductions in strategic offensive arms, effective defences would greatly reduce any strategic benefits a side might obtain by cheating on international arms reductions agreements. Defences would help deter the proliferation of ballistic missile technology and devalue the potential political and military leverage of ballistic missiles - long thought to be the terror weapons of choice.

The proliferation of ballistic missile technology, underscored by the lessons learned from the Gulf War, confirms our conclusion that the regime established by the ABM Treaty must be changed. Positive changes in United States-Soviet relations, the need to address a truly mutual concern, and a United States ballistic missile defence programme which averts stated Soviet concerns may now provide a real opportunity for success in our negotiations. I stress that a negotiated cooperative transition is our goal. This is why we have been engaged in the Defense and Space Talks for six years and remain committed to their future.

#### V

The United States continues to offer a mechanism, the United States Defense and Space Treaty, to permit deployment of defences beyond the ABM Treaty following three years' discussion of specific measures for implementing a cooperative transition. Such a process of negotiation and discussion of concrete measures is far preferable to withdrawal from the ABM Treaty under the supreme interests provision found in article XV of that Treaty. The United States approach is measured, reasonable and appropriate.

We also understand full well that the negotiated cooperative transition we seek cannot be built in a vacuum but requires a sound foundation of trust. Therefore, another United States approach in the Defense and Space Talks is ensuring predictability in the development of the United States-Soviet strategic relationship which has up to now been characterized by secrecy. In contrast, openness makes the strategic relationship predictable, averting miscalculation and technological surprise, and thus is stabilizing.

To encourage openness, the United States has proposed a number of predictability measures designed to create a better understanding of strategic ballistic missile defence activities as early as the research stage - years before the appearance of advanced defences in the field. These United States measures include annual exchanges of data, meetings of experts, briefings, visits to laboratories, observations of tests, and ABM test satellite notifications.

As a demonstration of the United States approach and commitment to openness, at the Wyoming Ministerial in September 1989, Secretary of State Baker invited a group of Soviet experts to visit two United States laboratories conducting SDI research. In December 1989, 10 Soviet experts

visited the Alpha Chemical Laser at the TRW facility at San Juan Capistrano, California, and the BEAR Neutral Particle Beam Experiment at the Los Alamos National Laboratory, New Mexico. The Soviet guests saw hardware up close and had an opportunity to ask questions of United States scientists conducting the research.

To continue the momentum, Secretary Baker took further initiatives. In the spring of 1990, the United States proposed that the United States and Soviet Union conclude a free-standing executive agreement on these measures. Later in 1990, the United States proposed pilot implementation of United States predictability measures - a "trial-run". And last fall, the United States proposed that the two sides conduct "dual pilot implementation" - the United States would demonstrate its proposed predictability measures, and the Soviet Union would demonstrate its measures.

The United States remains committed to reciprocal openness in this area which we believe would be inherently stabilizing, consistent with the developing trends in United States-Soviet relations. We also believe that early conclusion of a free-standing predictability measures agreement would afford us the opportunity to build greater trust upon which we could construct even greater successes in the Defense and Space Talks.

## VI

With the proliferation of ballistic missile technology growing near Soviet borders, and with our GPALS plan, the United States believes Soviet attitudes should evolve to permit defences against mutual concerns. Although to date there has been no shift in the official Soviet position on the deployment of defences beyond the narrow limits of the ABM Treaty, we continue to see evidence of an internal Soviet discussion over the role of ballistic missile defences. In addition, missile defence is more consistent with the new Soviet emphasis on "defensive doctrine". Thus, incentives exist for the Soviets to join with us to explore constructive measures to counter emerging threats.

The changes in the international environment, the lessons learned from the Gulf War, the improvement in United States-Soviet relations, and the shift to a defensive doctrine in the Soviet Union all should encourage our Soviet colleagues to consider relaxation of ABM Treaty constraints to meet mutual concerns.

There is considerable reason for optimism in the Defense and Space Talks. Here in Geneva, following the signing of the START Treaty, Presidents Bush and Gorbachev, in their June 1990 Washington Joint Summit Statement, committed the United States and USSR to seek an "appropriate relationship between strategic offences and defences". This is a good sign. Soon, the United States and the Soviet Union will begin to construct this new regime that could permit greater reliance on defences. This commitment should enable the sides to build upon improving relations and achieve success in future Defense and Space Talks to deal cooperatively with the evolving international environment.





# CONFERENCE ON DISARMAMENT

CD/1088  
8 July 1991

Original: ENGLISH

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LETTER DATED 27 JUNE 1991 FROM THE PERMANENT REPRESENTATIVE OF CANADA  
ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT  
TRANSMITTING THE ARMS CONTROL VERIFICATION OCCASIONAL PAPER NO. 7,  
ENTITLED "SATELLITES HARMING OTHER SATELLITES"\*

During my plenary statement on 25 June I referred briefly to the questions of terminology and confidence-building measures in relation to the Prevention of an Arms Race in Outer Space. In this connection I have the honour of making available 112 copies, in English, of the Arms Control Verification Occasional Paper No. 7, entitled "Satellites Harming Other Satellites" by Dr. Peter Hughes, which explores a number of ambiguities concerning operations in space, analyses the concept of harm and touches on certain proposals for CMBs such as keep out zones and verification in space. I would be grateful if you would arrange for the distribution of these booklets to members of the Conference and to observers under a CD number. The French version will be available shortly.

(signed)

Gerald E. Shannon  
Ambassador and  
Permanent Representative

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\* A limited distribution of this brochure in English only has been made available to the members and non-members invited to participate in the work of the Conference on Disarmament. The French version will be available shortly.







# CONFERENCE ON DISARMAMENT

CD/1089  
CD/NTB/WP/14  
25 July 1991

Original: ENGLISH

LETTER DATED 9 JULY 1991 FROM THE HEAD OF THE SWEDISH DELEGATION  
ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON  
DISARMAMENT TRANSMITTING THE TEXT OF A DRAFT COMPREHENSIVE  
TEST-BAN TREATY AND ITS ANNEXED PROTOCOLS

I have the honour to send you enclosed a draft CTB Treaty and its annexed protocols which will be introduced by the Delegation of Sweden on 25 July 1991. It will also be presented in the Ad Hoc Committee on a Nuclear Test Ban on that same day.

I should be grateful if it could be issued as an official document of the Conference and translated into all the official languages. It would be appreciated if the document could be available in all the official languages, dated on 25 July 1991 and numbered both as a CD document and as a Working Paper in the Ad Hoc Committee.

(Signed) Carl-Magnus Hyltenius  
Ambassador  
Head of the Swedish Delegation  
to the Conference on Disarmament

DRAFT COMPREHENSIVE NUCLEAR TEST-BAN TREATY

The States Parties to this Treaty, hereinafter referred to as the "States Parties",

Convinced of the urgent need for an end to the nuclear arms race and the ultimate elimination of nuclear weapons,

Recalling the determination expressed by the Parties in the Preamble to the 1963 Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and Under Water to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time, and to continue negotiations to this end,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures towards nuclear disarmament,

Urging the cooperation of all States in the attainment of this objective,

Convinced also that an end to nuclear testing by all States in all environments for all time is of fundamental importance to prevent the qualitative improvement and development of nuclear weapons and their further proliferation,

Have agreed as follows:

Article I

Basic Obligations

1. Each State Party undertakes to prohibit, to prevent, and not to carry out, in any environment, any test explosion of a nuclear explosive device.
2. Each State Party undertakes not to detonate anywhere any nuclear explosive device for peaceful purposes unless the States Parties have agreed on procedures for and controls of such nuclear explosions.
3. Each State Party undertakes, furthermore, to refrain from causing, encouraging, assisting, permitting or in any way participating in the carrying out anywhere of any nuclear explosion referred to in paragraphs 1 and 2 of this Article.

(...)





# CONFERENCE ON DISARMAMENT

CD/1092\*  
CD/OS/WP.46  
1 August 1991

ENGLISH  
Original: FRENCH

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## WORKING PAPER

### FRANCE

#### PREVENTION OF AN ARMS RACE IN SPACE: CONFIDENCE-BUILDING MEASURES AND TRANSPARENCY

In its arms control and disarmament plan of 3 June 1991 (CD/1079), France reaffirmed the need for "the development of outer-space confidence-building measures in the form of a 'code of conduct' for civilian and military satellites". In addition, it proposed the establishment of regional agencies responsible for transparency, which could receive and use satellite images in the context of regional agreements on confidence and security.

The objectives to which these proposals are directed are well known. They underlay the French memorandum on the military uses of space submitted to the Conference on Disarmament on 14 April 1983 (CD/375). This memorandum advocated the progressive development of a stable and clear space regime, by means of the strengthening of the existing system of information on space objects and promotion of the principle of immunity granted to certain space objects. France, which upholds its 1978 proposal for an international satellite monitoring agency (ISMA) and its 1988 proposal for a satellite image processing agency (SIPA), is convinced that a regional approach to the use of satellite images could make a decisive contribution to strengthening confidence and security.

The approach proposed by France would, in its view, enhance the security of peaceful activities in space (and indirectly prevent the use of space for

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\* Re-issued for technical reasons

aggressive purposes), while at the same time, by harnessing space for the purpose of confidence and security, facilitating access to space by all interested States and promoting cooperation in space for civilian and scientific purposes.

#### I - CONFIDENCE-BUILDING MEASURES IN SPACE

In France's view, any legal regime of confidence-building measures must be based on the principle of non-interference with non-aggressive activities in space, the strengthening of the 1975 Convention on the registration of space objects and the drawing up of a "code of conduct in space", which might be complemented by measures to provide information on the occasion of the launching of space objects.

##### 1 - The principle of non-interference

With the rise in the quantity of orbiting space objects and the number of space Powers, as well as in potentially dangerous technological capabilities, the risks to security in space activities increase. France considers that the time has come to lay down a more reliable regime for satellites in orbit.

As has been shown by the discussions in the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, one of the essential concerns is that of how to protect satellites which merit protection. Consequently, France wishes to propose a criterion whereby a satellite is or is not protected depending on its aggressive capacity. In this way, a satellite possessing a capability for active interference would enjoy no protection.

On the model of the immunity mutually granted by the two main space Powers to their "national means of verification" of their bilateral disarmament agreements (in view of the fact that these space facilities play a stabilizing function), France considers that the principle of non-interference would constitute a first step towards internationally recognized immunity of satellites. Within the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, the discussion might focus, on the one hand, on the technical parameters to be used to determine a satellite's capability for active interference, and, on the other hand, on the possible juridical formulation of the principle of non-interference.

##### 2 - Strengthening of the 1975 Convention on the registration of space objects

The 1975 registration Convention, which was initially designed as a way of facilitating the application of the 1972 Convention on International Liability for Damage Caused by Space Objects, offers considerable potential

for enhancing the transparency of space activities, which is vital for any regime to promote confidence. Currently, the register set up under article IV requires only the following information concerning each space object:

- Name of launching State;
- Registration number;
- Date and location of launch;
- Basic orbital parameters (nodal period, inclination, etc.);
- General function of the space object.

In order to enhance knowledge of spacecraft, and in particular to clarify responsibilities in the event of an incident, France proposes that the register should also include the following information:

- The orbital characteristics of each satellite;
- Details of its manoeuvrability;
- Information on energy sources available on board;
- Certain other functional characteristics (mass, size, expected life of the space vehicle).

This could give concrete form to the possibility - provided for in article IV, paragraph 2 of the Convention - of furnishing the United Nations Secretary-General with additional information relating to the space object. In France's view, this broadening of the scope of the register should be effected on a voluntary, negotiated basis among the States parties. This would be in keeping with the proposals already made, inter alia, by Australia and Canada in 1988 (CD/OS/WP.25), Poland in 1989 (CD/OS/WP.38) and Argentina in 1990 (CD/1015 - CD/OS/WP.42), as well as the Federal Republic of Germany (Ad Hoc Committee, 17 July 1990). The latter proposed in particular that further information should be added to the register (authority responsible for launch and for control, presence or absence of weapons on board). France stands ready to give favourable consideration to adding these details to the registration Convention, as well as the possibility of informing the United Nations Secretary-General of launch forecasts.

Furthermore, since experience to date has been unsatisfactory, France calls upon the States parties to reduce the time taken to notify the Secretary-General of information and to update such information regularly. Lastly, it seeks an increase in the number of States parties to the Convention.

### 3 - Rules of behaviour

The aim of a "code of conduct", as advocated by France (CD/937) and by Germany (CD/PV.345 and 516), is to guarantee the security of space activities while preventing the use of space for aggressive purposes. From the viewpoint of the prevention of an arms race, what is most important is to be able at any time to distinguish an incident of fortuitous or accidental origin from the result of specific aggression. To that end, it is suggested that a set of rules of behaviour should be drawn up, which might include:

- an obligation to regularly update orbital parameters declared at the time of registration, to take account of manoeuvres and drift;
- respecting minimum distances between two satellites placed in the same orbit (in order to avoid not only accidental collisions but also short-range co-orbital tracking, which is a precondition for the system of space mines);
- monitoring of short-range intersections (also to limit risks of collision or interference).

Combined with a strengthened registration procedure, such a set of rules should provide better information on a continuous basis concerning potential threats to each satellite, and prevent aggression by making it impossible for such aggression to go unpunished because of failure to determine its precise origin. These rules might be supplemented by:

- the above-mentioned measure relating to information on launches scheduled by States;
- a procedure providing for requests for explanations in the event of an incident or suspicious activities;
- the identification of keep-out zones in the form of two spherical zones moving with each satellite:
  - a proximity zone to delimit the location of each space object in reciprocal orbit, as well as the capabilities of each object to move with respect to the others;
  - a wider approach zone, with obligatory notification for passage through it.

### 4 - Measures to provide information on the occasion of the launching of space objects

In 1989, Poland suggested (CD/OS/WP.38) that it would be useful, in the field of the prevention of an arms race in outer space, to draw on experience

built up in the application of confidence-building and security-building measures by the States participating in the CSCE. Specifically, Poland proposed measures for the exchange of information and observations on the occasion of launches of space objects. France stands ready to give favourable consideration to a measure providing for assessment visits at the launch site or orbital control site of a registered space object. It is aware of the possible difficulties or objections that such a measure might prompt, and considers that such visits should take place on a voluntary basis: only a State which had expressly agreed to such an inspection could be visited.

Hence France proposes that the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space should give thought to the circumstances in which such measures might be feasible, drawing on experience accumulated within the CSCE framework.

## II - SPACE AND TRANSPARENCY

As the French arms control and disarmament plan states, "information is the prime condition of confidence". In order to allow the smooth operation of a system of confidence-building measures in space, France proposed in 1989 (CD/937) the establishment of a centralized trajectography system. Moreover, as the potential contribution of satellite images in the implementation of regional agreements on security and confidence is increasingly widely recognized, France proposes the establishment of regional agencies responsible for transparency.

### A - The international trajectography centre (UNITRACE)

Compliance with and effective application of the broadened rules for registration and the rules of behaviour that would be drawn up under a regime of confidence-building measures imply the establishment of an international management tool with the function of accumulating all the information gathered and making it available to satellite managers. Since it would be designed to alert the States concerned in the event of threatened incidents and to supply evidence of good or bad faith in the event of an incident (which would minimize the risk of international disputes), it should meet the requirement of transparency and be in permanent possession of updated information concerning the trajectories of space objects.

At the same time, if it is to be acceptable to satellite-owning States, such a centre should be able to observe a degree of confidentiality in respect

of military activities in space. Under the auspices of the United Nations Secretariat, it would have the following functions:

- collection of data for updating registrations;
- monitoring of space objects;
- real time calculation of all available trajectories.

It would keep the information without distributing it and would alert only the State or States concerned where necessary.

The proposal recently put forward by Canada (CD/1088) whereby all space objects would be equipped with beacons to enable them to be identified at all times deserves thorough study, since, if it was proved to be feasible, it might considerably facilitate the task of an international trajectography centre.

B - Regional agencies responsible for transparency

France has long considered that the pooling of information gathered by satellites can make an effective contribution to transparency, which is itself a vital component of security. This was the objective France sought when it proposed to the United Nations in 1978 an international satellite monitoring agency (ISMA), and in 1988 a satellite image processing agency (SIPA). Noting that the regional approach to disarmament and security is increasingly widely recognized as essential by the international community, France considers that the implementation of regional agreements on confidence and security could draw to an increasing extent on the use of satellite images. This approach links up with the philosophy of the "PAXSAT-B" concept put forward by Canada in 1987 (CD/PV.410).

Taking the example of Europe, which already has experience in the application of a regional system of confidence- and security-building measures, and which has recently strengthened the institutional machinery underpinning that system (cf. documents CD/1043: Charter of Paris for a New Europe, and CD/1070: Vienna Document on confidence- and security-building measures in Europe), it is France's wish that the existing CSCE Conflict Prevention Centre should shift towards a transparency function, in particular through the use of the data generated by an "Open Skies" agreement and by satellite images. It suggests that the other regions should make provision for the use of such machinery under regional agreements on confidence and security.

France itself, which is convinced that improved information can enhance security, is prepared to contribute to the establishment and operation of such regional agencies in three forms:

assistance in training specialists in the interpretation of satellite data;

study of the possible structure and size of the reception facilities (engineering) which might be made available to States participating in such agencies;

initiation of more far-reaching consideration of the question of access to data and satellite information and discussions with other countries producing space images, with a view to possible agreements to supply regional agencies at their request with the information they need to perform their tasks.

Discussions in the Conference on Disarmament in recent years have shown that the great and urgent need for thorough consideration of the establishment of a regime of confidence-building measures in space are increasingly recognized by the international community. Among the topics tackled by the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, it would seem that this is the topic offering the best prospects for the future. France hopes that its contribution, together with that of other member States, will contribute to progress towards a consensus in this field.

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# CONFERENCE ON DISARMAMENT

CD/1095  
7 August 1991

Original: ENGLISH and  
FRENCH

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LETTER DATED 5 AUGUST 1991 FROM THE PERMANENT REPRESENTATIVE OF  
CANADA ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE  
ON DISARMAMENT TRANSMITTING THE ARMS CONTROL VERIFICATION  
OCCASIONAL PAPER NO. 6, ENTITLED "OVERHEAD IMAGING FOR  
VERIFICATION AND PEACEKEEPING: THREE STUDIES" 1/

I have received copies of the 6th in Canada's series of Arms Control  
Verification Occasional Papers, entitled "Overhead Imaging for Verification  
and Peacekeeping: Three Studies" and I would like to share them with you and  
with my CD colleagues. I would be grateful if you would arrange to circulate  
them, under a CD number, to all member and non-participating State delegations.

(Signed) Gerald E. Shannon  
Ambassador and  
Permanent Representative

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1/ A limited distribution of this brochure in English and French only  
has been made available to the members and non-members invited to participate  
in the work of the Conference on Disarmament. Additional copies are available  
from the Permanent Mission of Canada.







## REPORT OF THE AD HOC COMMITTEE ON PREVENTION OF AN ARMS RACE IN OUTER SPACE

### I. INTRODUCTION

1. At its 582nd plenary meeting on 14 February 1991, the Conference on Disarmament adopted the following decision:

"In the exercise of its responsibilities as the multilateral disarmament negotiating forum in accordance with paragraph 120 of the Final Document of the First Special Session of the General Assembly devoted to disarmament, the Conference on Disarmament decides to re-establish an Ad Hoc Committee under Item 5 of its agenda entitled 'Prevention of an arms race in outer space'.

The Conference requests the Ad Hoc Committee, in discharging that responsibility, to continue to examine, and to identify, through substantive and general consideration, issues relevant to the prevention of an arms race in outer space.

The Ad Hoc Committee, in carrying out this work, will take into account all existing agreements, existing proposals and future initiatives as well as developments which have taken place since the establishment of the Ad Hoc Committee, in 1985, and report on the progress of its work to the Conference on Disarmament before the end of its 1991 session."

2. In that connection a number of delegations made statements regarding the scope of the mandate.

### II. ORGANIZATION OF WORK AND DOCUMENTS

3. At its 582nd plenary meeting on 14 February 1991, the Conference on Disarmament appointed Ambassador Roberto García Moritán of Argentina as Chairman of the Ad Hoc Committee. Mr. Vladimir Bogomolov, Political Affairs Officer, United Nations Department for Disarmament Affairs, served as the Committee's Secretary.

4. The Ad Hoc Committee held 17 meetings between 26 February and 20 August 1991.

5. At their request, the Conference on Disarmament decided to invite the representatives of the following States not members of the Conference to participate in the meetings of the Ad Hoc Committee: Austria, Chile, Colombia, Costa Rica, Denmark, Finland, Greece, Ireland, Malaysia, New Zealand, Norway, Oman, Portugal, Senegal, Spain, Switzerland, Syria, Turkey, United Arab Emirates, Uruguay, Viet Nam and Zimbabwe.

6. In addition to the documents of the previous sessions <sup>1/</sup>, the Ad Hoc Committee had before it the following documents relating to the agenda item submitted to the Conference on Disarmament during the 1991 session:

- CD/1059      Mandate for an Ad Hoc Committee under item 5 of the agenda of the Conference on Disarmament entitled "Prevention of an Arms Race in Outer Space".
- CD/1073      Letter dated 12 March 1991 addressed to the Secretary-General of the Conference on Disarmament from the Permanent Representative of Canada, transmitting compendia on Outer Space comprising plenary statements and working papers from the 1990 session of the Conference on Disarmament.
- CD/1087      Letter dated 8 July 1991 addressed to the President of the Conference on Disarmament from the Deputy Representative of the United States to the Conference on Disarmament transmitting a statement delivered on 25 June 1991 by Ambassador David J. Smith, Chief United States Negotiator for the Defence and Space Talks in the Ad Hoc Committee on Prevention of an Arms Race in Outer Space of the Conference on Disarmament.
- CD/1088      Letter dated 27 June 1991 addressed to the Secretary-General of the Conference on Disarmament from the Permanent Representative of Canada, transmitting the Arms Control Verification occasional paper No. 7, entitled "Satellites Harming Other Satellites."
- CD/1095      Letter dated 5 August 1991 addressed to the Secretary-General of the Conference on Disarmament from the Permanent Representative of Canada, transmitting the Arms Control Verification Occasional Paper No. 6, entitled "Overhead Imaging for Verification and Peacekeeping: Three Studies".
- CD/OS/WP.43    Programme of Work.

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<sup>1/</sup> The list of documents of the previous sessions may be found in the 1985, 1986, 1987, 1988, 1989 and 1990 reports of the Ad Hoc Committee, and in the special report to the third special session of the General Assembly devoted to disarmament (CD/642, CD/732, CD/787, CD/870, CD/834, CD/956 and CD/1039, respectively).

- CD/OS/WP.44 Working paper entitled "Status of Treaties Relating to Space Activities", submitted by the Secretariat.
- CD/OS/WP.45 Working paper entitled "The concept of confidence-building and predictability measures in space activities of States", submitted by the Soviet Union.
- CD/1092  
CD/OS/WP.46 Working paper entitled "Prevention of an arms race in outer space: Confidence Building Measures and Transparency", submitted by France.
- CD/OS/WP.47 Working paper entitled "The Problem of Debris and Military Activities in Space", submitted by Italy.
- CD/OS/WP.48 Working paper entitled "Confidence and Security Building in a Protection Regime for Outer Space", submitted by Germany.
- CD/OS/WP.49 Working paper entitled "Terminological issues relevant to the prevention of an arms race in outer space", submitted by the Friend of the Chairman, The Hon. A. Monckton of the United Kingdom of Great Britain and Northern Ireland Delegation
- CD/OS/WP.50 Working paper entitled "Issues related to ASATs", submitted by the Friend of the Chairman, Dr. M. Karem of the Delegation of Egypt
- CD/OS/WP.51 Working paper entitled "Confidence-building measures in space activities", submitted by the Friend of the Chairman, Mr. M. Antuykhin of the Delegation of the Union of Soviet Socialist Republics

### III. SUBSTANTIVE WORK DURING THE 1991 SESSION

7. Following an initial exchange of views and consultations on the programme and organization of work held by the Chairman with various delegations, the Ad Hoc Committee, at its 1st meeting on 26 February 1991 adopted the following programme of work for the 1991 session:

- "1. Examination and identification of issues relevant to the prevention of an arms race in outer space;
2. Existing agreements relevant to the prevention of an arms race in outer space;
3. Existing proposals and future initiatives on the prevention of an arms race in outer space.

In carrying out its work with a view to finding and building upon areas of convergence, the Ad Hoc Committee will take into account developments which have taken place since the establishment of the Committee in 1985."

8. With regard to the organization of work, the Ad Hoc Committee agreed that it would give equal treatment to the subjects covered by its mandate and specified in its programme of work. Accordingly, the Committee agreed to

allocate the same number of meetings to each of those subjects, namely, issues relevant to the prevention of an arms race in outer space, existing agreements and existing proposals and future initiatives. It was noted that any member wishing to do so may discuss any subject important and relevant to the work of the Committee.

9. The work of the Ad Hoc Committee was governed by the mandate which aims at the prevention of an arms race in outer space.

10. A general exchange of views was held during the 17 meetings which the Ad Hoc Committee devoted to substantive work including the presentation and examination of specific proposals for measures. All the delegations welcomed the prompt re-establishment of the Ad Hoc Committee and the new methodological approach applied.

11. To enhance the functioning of the Committee in qualitative terms during the first part of the annual session three non-binding indicative lists of topics based on the main aspects considered in 1990 were circulated by the Chairman. The debate in the Committee dealt inter alia with the subjects referred to in the Chairman's lists of topics relating to the three items on the programme of work and attached in the Annex.

12. In the second and third part of the annual session the work of the Committee was facilitated through the assistance of Friends of the Chairman who were appointed to deal with the following specific issues in open-ended consultations:

- a) terminological aspects related to prevention of an arms race in outer space (The Hon. Anthony Monckton, Delegation of the United Kingdom of Great Britain and Northern Ireland)
- b) issues related to verification of ASATs (Dr. M. Kareem, Delegation of Egypt)
- c) confidence-building measures including improvement of existing and future databases relating to space activities (Mr. M. Antuykhin, Delegation of the USSR)

Each Friend of the Chairman presented, at the end of the session, a report containing the preliminary outcome of those consultations. Those reports are contained in the following working papers:

CD/OS/WP.49 entitled "Terminological issues relevant to the prevention of an arms race in outer space"

CD/OS/WP.50 entitled "Issues related to ASATs"

CD/OS/WP.51 entitled "Confidence-building measures in space activities"

It was understood that those reports were presented by the Friends of the Chairman under their own responsibility, without prejudice to positions of

delegations, with the aim of facilitating any future consideration of the issues.

13. The Committee also benefitted from the scientific and technical contributions of experts from various delegations who addressed the specific issues and initiatives under consideration in the Committee relevant to the prevention of an arms race in outer space.

A. Examination and identification of issues relevant to the prevention of an arms race in outer space

14. There was general recognition of the importance of the bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America and it was stressed that bilateral and multilateral efforts were complementary. Many delegations emphasized that those negotiations did not diminish the urgency and the importance of multilateral efforts and reaffirmed that, as provided for in General Assembly resolution 45/55A, the Conference on Disarmament, as the single multilateral disarmament negotiating forum, had the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects.

15. The Group of 21 considered that there was an urgent need to address this important agenda item so as to achieve progress. For this reason, the Group took a flexible position on the question of the programme of work although it would have preferred the Committee to work under a negotiating mandate. It was felt that the new methodology applied to the work of the Committee would create new opportunities to advance from generality to specificity, allowing the Committee to enhance its functioning in qualitative terms.

16. The Group of Western States welcomed the adoption of the same programme of work as in the previous years and equal allocation of time between the three main items of the programme of work. It thought that this formal framework implemented with due flexibility provided the best structure for the discussions while enabling each delegation that so wished to express its position and to make a contribution to the common search for areas of convergence envisaged in the programme of work.

17. Many delegations of the Group of 21 underlined that in an era where the confrontation between the United States and the Union of Soviet Socialist Republics had eased, other states on planet earth had reasons to hope that arms deployed on ground would not be supplemented with a threat from space that would provoke a counter and help in spiralling the arms race further into outer space.

18. Many delegations reiterated that outer space was the common heritage of mankind and as such should be used exclusively for peaceful purposes; thus making it of vital importance to prevent an arms race in outer space. They pointed out that to date the Conference had performed useful work in identifying and clarifying the various aspects of this complex item and had before it numerous proposals aimed at perfecting the existing legal régime. In their view, the Conference should urgently fulfil its role by elaborating new instruments of a legal character which would, in an all-embracing and multilateral way, tackle the issue of the non-militarization of outer space.

19. Some delegations belonging to the Group of Eastern European and other States reiterated that the issues of prevention of an arms race in outer space by joint efforts of all members of international community had a key meaning for international security and for strengthening of strategic stability. They considered necessary to provide on this track of disarmament a fruitful combination of multilateral and bilateral approaches. In their view, at the present time, the Conference on Disarmament was the most appropriate forum for arrangements to keep outer space free from weapons.

20. One delegation of the Western Group, having recalled the interpretation of the 1967 Outer Space Treaty according to which that instrument did not prohibit all military activities in space, stated that some stabilizing military activities deserved to remain authorized. Besides, it was sometimes impossible to distinguish some civil activities from military ones. Therefore, it was preferable to concentrate on the prevention of any aggressive use of space. Moreover, that delegation stressed the difficulties of a comprehensive prohibition of antisatellite weapons as such, since any space objects and ballistic missiles, as well as many ground-based systems, had potential antisatellite capabilities.

21. One delegation of the Group of 21 pointed out that "peaceful" could not be equated with non-aggressive and it could only be interpreted to exclude "military uses".

22. One delegation belonging to the Western Group said that the role of the Ad Hoc Committee and that of UNCOPUOS were separate and distinct. If the Ad Hoc Committee was to make any progress the same delegation suggested that two areas merited further study: definition and verification. A glossary of terms and definitions would provide the Committee with a more solid foundation for its discussions. Equally no arms control agreement in space could hope to be sustainable without effective verification.

23. One delegation not belonging to any Group held the view that the prevention of an arms race in outer space and the peaceful utilization of it was the common aspiration of mankind. It reiterated that its State had all along been opposed to the arms race in outer space and stood for the complete prohibition and thorough destruction of all kinds of space weapons. It pointed out that in spite of the preliminary achievements in the nuclear and conventional disarmament, the arms race in outer space between the two major space powers had not ended but on the contrary had taken on a new trend. Hence preventing an arms race in outer space had become a major task in the field of disarmament. In its view the arms race in outer space based on the latest development in science and technology was a qualitative escalation of the arms race in nature, which not only posed a threat to international peace and security but was also detrimental to the activities aimed at the peaceful use of outer space. Furthermore, it considered that it would have an adverse effect on the disarmament process. Confronting with such a reality it stood to reason for the international community to demand that the two countries with the largest space capabilities bear special responsibilities in preventing an arms race in outer space. It took note of the bilateral negotiations on space issues between the two major space powers and pointed out that so far nothing substantive had been achieved. It held the view that in order to effectively prevent an arms race in outer space it was necessary that the two countries with the largest space capabilities should immediately adopt practical measures in undertaking not to develop, test and deploy any types of space weapons and destroy all the existing ones, including both anti-ballistic missiles and anti-satellite weapons, and on the basis of this, conduct serious negotiations with a view to concluding an agreement that completely bans all space weapons. While stressing the importance of the existing international legal instruments, it pointed out their insufficiency as well as the need to negotiate new international legal instruments. It stated that as the sole multilateral forum of disarmament negotiations, the Conference on Disarmament should start as soon as possible negotiations on an international convention on the complete prohibition of outer space weapons and on the prevention of arms race in outer space.

24. The Group of 21 emphasized the need for in-depth treatment of matters under item 3 of the work program "Existing proposals and future initiatives on the prevention of an arms race in outer space".

25. Members of the Group of 21 having brought up certain comprehensive proposals, pointed out that there was a need to further analyse limitations of

article IV of the Outer Space Treaty under the perspective of the régime applicable to outer space as distinct from the one confined to the moon and other celestial bodies. Some proposals related to an amendment of the Outer Space Treaty and to transforming it into a comprehensive Treaty.

26. As to confidence-building measures, the Group of 21 recalled United Nations General Assembly resolution 45/55 B, which reaffirms the importance of confidence-building measures as a means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space and recognizes their applicability in the space environment under specific criteria yet to be defined.

27. According to many delegations there appeared to be a general recognition that the Committee could usefully consider confidence-building measures including data-base improvements relevant to the mandate of the Committee and in consonance with evident complementarities of bilateral and multilateral efforts in this area.

28. Members of the Group of 21 consistently addressed the question of a comprehensive ban of anti-satellite weapons, including a ban on testing in an ASAT mode of other weapons devices. In the context of measures pertaining to ASATs while recognizing the verification challenges connected with measures to prevent an arms race in outer space, the Group of 21 found it logical that these issues became the subject of more concrete deliberations and negotiations. The Group suggested that it might be useful in that connection to address the question of identifying technical means to support observation and verification functions pertaining to different relevant measures.

29. On the subject of immunity of satellites many delegations stressed an increasingly important role of satellites in a variety of fields. For these delegations the spread of satellite technology had generated enormous opportunities for developments in the field of economic growth and international security and it was imperative that the international community safeguard the increasing positive developments of satellite technology on an urgent basis. It was acknowledged by those delegations that some amount of immunity had been provided to satellites by the 1967 Outer Space Treaty in relationship with Article II, paragraph 4 of the UN Charter. Under bilateral agreements between the United States and the Union of Soviet Socialist Republics protection was also provided by prohibiting interference with national technical means. This régime was on the one hand limited in scope and on the other not universal. Further development of a regime providing for immunity of satellites would not run contrary to the UN Charter.

8. Existing agreements relevant to the prevention of an arms race in outer space

30. Much attention was paid to the principles and provisions of international law relevant to the prevention of an arms race in outer space. Some delegations of the Western Group underlining the central role of the Charter of the United Nations stressed the special significance of paragraph 4 of Article 2 and Article 51. They emphasized that Article 2(4) prohibited the threat or use of force against the territorial integrity or political independence of any State. Complementing Article 2(4), Article 51 permitted States to exercise their inherent right of individual or collective self-defense. These delegations thus concluded that when read together, these two Charter provisions strictly prohibited the use of force in all instances except for individual or collective self-defense.

31. Many delegations recalled that the Outer Space Treaty was a response to the challenges that space technology created in the 1960s. Some of them stressed that the first paragraph of article IV of the Treaty, represented a legal loophole exploited by some space powers to develop a new generation of weapons that could be placed in outer space. There was almost unanimous recognition of the fact that the legal régime did place some limitations on certain weapons and military activities in outer space. However it was equally emphasized that existing legal instruments left open the possibility of the introduction of weapons in space, other than nuclear weapons or other weapons of mass destruction.

32. One delegation of the Group of 21 stated that the Outer Space Treaty of 1967 banned nuclear weapons and other weapons of mass destruction from space. However, there was no legal bar at present to the development of large lasers that some would hope could eventually be capable of countering missiles in their boost phase.

33. Many delegations reiterated that the present legal régime governing outer space was not adequate to guarantee the prevention of an arms race occurring in outer space. It was noted that General Assembly resolution 45/55A recognized the urgency of preventing an arms race in outer space and requested the Conference on Disarmament to undertake negotiations for the conclusion of binding agreement or agreements, as appropriate. While recognizing the significant role played by that régime and the need to consolidate and strengthen it and its effectiveness, several delegations called for the total prohibition of the development, production, stationing, stock-piling and use of space weapons and the destruction or transformation of existing weapons.

34. One delegation of the Western Group believed that the existing legal régime for arms control in outer space was equitable, balanced and extensive. The current regime placed some legal restraints on virtually every type of weapon in outer space and recurring predictions of an impending arms race in outer space had not been borne out. Therefore the allegations of its insufficiency were overstated. A legal régime, in and of itself, was not sufficient to prevent an arms race in outer space because one needed compliance with that regime, its enforcement and participation in that regime.

35. One delegation of the same Group, while recognizing that the existing legal régime was insufficient to prohibit some potentially threatening activities and was partially based on bilateral agreements subject to different interpretations or withdrawal, affirmed that the prohibition to deploy any weapon in space would be neither realistic nor efficient: it could indeed limit some stabilizing activities and at the same time would not take account of the other threats to space activities.

C. Existing proposals and future initiatives on the prevention of an arms race in outer space

36. The Group of 21 recalled its proposal for the Ad Hoc Committee to have a negotiating mandate. The Group held the position that the Committee should focus on concrete proposals for measures with a view to conducting negotiations for the conclusion of an agreement or agreements, as appropriate, to prevent an arms race in outer space in all its aspects.

37. Some delegations of the Western Group, while agreeing to discuss and study the proposals put forward before the Committee, considered that political conditions were not ripe for in-depth negotiations on these proposals, or were not convinced that they were suitable areas for multilateral consideration.

38. It was stressed by some delegations that although so far no armed conflict in outer space had taken place, mankind could not shut the eyes to history and to scientific and technological developments that were taking place and presume that there would not be any such incident in the future. The importance of what had been left uncovered by the Outer Space Treaty and other related measures two decades ago had grown and the shortcomings had become strikingly more evident.

39. One delegation, a member of the Group of 21, stressed that Article IV of the Outer Space Treaty, contained a built-in limitation, as its scope did not extend to banning all types of weapons in outer space. It prohibited inter alia, the placing, installing or stationing of nuclear weapons and other

weapons of mass destruction only. Its provisions did not therefore contain a clear-cut injunction to ensure that outer space is used exclusively for peaceful purposes. In the view of this delegation the principle of exclusive use for peaceful purposes applied only to the Moon and other celestial bodies and the only restriction placed on States parties pertained to the prohibition of the establishment of military bases, installations and fortifications, the testing of any type of weapon and the conduct of military manoeuvres on celestial bodies. The delegation considered that this meant that there was an inherent contradiction in the same article of the Treaty, thereby creating as a result not one but two legal régimes - one applicable to outer space and the other confined to the Moon and other celestial bodies. Therefore it was of the view that the general objective should aim at establishing one legal régime for outer space as well as the Moon and other celestial bodies. It maintained that this could only be realized through a clear-cut provision declaring that outer space shall be used exclusively for peaceful purposes.

40. One delegation reiterated its proposal contained in document CD/851 seeking to amend Article IV of the Outer Space Treaty. It stressed that the proposal was aimed to fill in an important juridical vacuum in the Outer Space Treaty and to prevent the stationing in outer space of weapons other than nuclear and mass destruction weapons.

41. Many delegations of the Group of 21 touched upon the destabilizing aspects of ballistic missile defences. The development, testing and deployment of active space systems, i.e. weapons with direct destructive effects to be used for anti-ballistic or ASAT tests, would run counter to the spirit of the Outer Space Treaty. An ASAT test-ban appeared to be the most effective way of rendering protection to satellites, in comparison with ideas such as creating immunity to the space segment of a satellite system as well as to areas surrounding a satellite. This could also have the advantage of leaving a way out with respect to the difficult questions pertaining to defining the functions of satellites, which might be of dual civil and military character, or could be supportive of both passive and active military systems. It had been proposed by many delegations that the present de facto moratorium by the two major space powers on testing of existing dedicated ASAT-systems, should be formalized. Furthermore, a banning of non-dedicated weapons devices would have to be directed at the testing of such weapons devices in an ASAT-mode. Such a functional approach had had a precedence in the ABM Treaty, which had referred to "testing in an ABM mode". When dealing with identification of technical means to support observation or verification

functions, this could be done in relation to confidence-building measures, leading to more concrete measures to prevent an arms race in outer space.

42. In connection with the reiteration of some proposals for a comprehensive ASAT ban, one delegation of the Western Group stated that it did not believe that verification schemes proposed to date were adequate for this purpose. A key problem was verifying compliance with such an agreement. Another problem concerned the legal issue of how ASAT weapons should be defined and categorized. The delegation reiterated that the existing legal regime placed a wide variety of legal restraints on the nature, deployment and uses of ASATs. It stated that conventionally-armed ASAT weapons that lacked an ABM capability and that were not armed with nuclear weapons were currently not limited by any arms control agreement.

43. Some delegations of the Group of 21 stated that not only were national technical means of verification adequate to detect and verify testing of space weapons in an ASAT mode including the "direct ascent attack mode" but a mutually agreed definition of dedicated ASAT weapon did exist. Once listing of directed energy weapons like ground-based lasers which were a threat to satellites is fully under way, more complex understandings would need to be negotiated. The unconstrained development of ASAT systems was a means of avoiding the limits on BMD development set by the ABM treaty. If lasers could be construed in terms of total brightness, their potential to attack satellites in high orbit would be controlled. It was easily conceivable to impose first use limitations, rules-of-the-road agreements and limited capability restriction on ASATs like dismantling of existing systems and test limits. These elements needed to be put together for a comprehensive ban on satellite intercept capability, which would mean restricting military space activities or undertaking them cooperatively, prohibiting all forms of anti-satellite defences, satellite ballistic missile defence and many offensive and laser systems.

44. One delegation reiterated its proposal (contained in CD/939) to amend Article IV of the Outer Space Treaty so as to make its prohibition applicable to any kind of weapons and to contemplate the negotiation of an Additional Protocol for the purpose of prohibiting the development, production, storage and deployment of anti-satellite weapon systems which were not stationed in outer space. The proposal provided also for a second additional protocol to deal with the verification system to ensure faithful compliance with the obligations assumed by the States Parties.

45. Confidence-building and predictability measures of States' activities in

outer space found positive response of some delegations. In this connection, the concept of "open outer space" was further elaborated by one delegation belonging to the Group of Eastern European and other states. It was proposed that this concept should become a subject of consideration at the Conference on Disarmament. In the view of that delegation the key elements that could form the basis of a future multilateral agreement on confidence-building and predictability measures in space activities of States should include the following measures: 1) the strengthening of the 1975 Convention on Registration of Objects Launched into Outer Space; 2) the elaboration of "rules of the road" - "a code of conduct"; 3) the use of space-based monitoring equipment in the interest of the international community; and 4) the establishment of an International Space Inspectorate. The same delegation suggested that the elaboration of a set of confidence-building measures, transparency and predictability could be the most realistic initial step to keep outer space free from weapons. It circulated at the Committee a working paper entitled "The concept of confidence-building and predictability measures in space activities of States" (CD/OS/WP.45) which had integrated the ideas previously advanced at the Committee.

46. On the question of the functioning of the Registration Convention some delegations reiterated their proposals on the strengthening of the régime established by the Convention. They observed that by providing specific information about the nature and functions of objects launched into space, the Convention constituted an indispensable database for any subsequent development designed to generate confidence in the uses of outer space. These delegations also indicated that the changes in the régime should apply on two levels, one being the scope of the information to be provided and the other the timeliness. Additional parameters and information should be added to the items already present in article IV of the Convention and to that effect a duly mandated Expert Group under the auspices of the Ad Hoc Committee should be entrusted with the responsibility to devise those criteria.

47. Some delegations asserted that the need for data bases was felt by all delegations and the Registration Convention was a source that was now realised to be inadequate. They recalled that several proposals for the extension of data bases relating to space activities had been put forward by delegations from all Groups. Nothing in the Registration Convention prevented the CD or an expert group set up to assist the work of the Ad Hoc Committee as had been proposed by a number of delegations, from examining the information contained in the declarations under the Convention, which was a public registry.

48. In that connection one delegation of the Western Group remarked that although the topic "Registration Convention" was listed under the heading of CBM, the Convention, in its view, was not an arms control or confidence-building instrument. Wider adherence to the Convention and compliance with its current provisions would be the best way of strengthening it.

49. Many delegations touched upon the verification issues indicating that consideration of these questions would constitute an important and integral part of the Committee's work, given the technological, political, commercial and even doctrinal aspects involved in considering a strengthened outer space regime. They reiterated the importance of verification and the desirability of multilateral involvement therein.

50. One delegation, member of the Western Group, put forward views on verification and stated that the inability to construct a suitable and effective verification system could prevent agreements from being finalized. The move towards expanding arms control in outer space would require addressing carefully the problems stemming from the fact that space represented a relatively new medium and posed challenges for arms control, involving capabilities which could be entirely different from, but nevertheless interdependent with those employed on the earth's surface. Major verification problems were likely to arise as a result of the need for worthwhile space regimes to cover not only objects and activities in space but also those on the earth's surface related to space. Both environments should be considered in their interrelationship. This delegation noted that while many countries might have an interest in space, and would thus wish to be equal partners in any agreement, the technical capabilities necessary for satisfactory verification might be available to only a few.

51. Another delegation, also a member of the Western Group, added its support to the above-mentioned position saying that no arms control agreement in space could hope to be sustainable without verification. It suggested that it would be useful to evaluate the cost of some of the proposals already put before the Committee and to consider how these costs might be met.

52. The Head of a delegation to the bilateral Defense and Space Talks spoke to the Committee about the revised approach to ballistic missile defense called "Global Protection Against Limited Strikes" (GPALS). The GPALS shifted the focus of strategic ballistic missile defense away from deterrence of a strategic ballistic missile attack to protection against the emerging and limited ballistic missile threat. A GPALS defense would include various

sensors and three ground and space-based interceptors to ensure global coverage against missiles of all ranges. Any meaningful deployment of BMD would require a change in the legal regime established by the ABM Treaty. This State sought to negotiate within the Defense and Space Talks a cooperative transition to allow increased reliance on strategic BMD. This State continued to offer a mechanism to permit deployment of defenses beyond the ABM Treaty following three years' discussion of specific measures for implementing a cooperative transition.

53. Some delegations made reference to the ABM Treaty. One of them belonging to the Group of 21 noted that various political and technological factors posed important challenges and opportunities for the Treaty regime as it placed restrictions on testing weapons in an ABM mode but permitted weapons to be tested in an ASAT mode. It was due to this lacunae that "direct ascent attack" by ballistic missiles could be considered for offensive purposes. Under the existing legal systems pertaining to space, there was no clear provision that the premeditated development of space based ASAT weapons, or their components or even their stationing violated the law, especially that pertaining to the Outer Space Treaty. For the same delegation some recent experiments and strategic initiatives like the SDI and GPALs raised important questions about compliance with the ABM Treaty.

54. One delegation belonging to the Western Group in its expert presentation introduced the results of the research dealing with definitions and terminology which was called "Harmfulness Indexing" method. Its basic purpose was to attempt to quantify the effectiveness with which any space object could be used as a weapon. In the view of the delegation the method of quantifying harm was well suited to Article IX of the Outer Space Treaty. Another concept of vulnerability indexing dealt with the assessment of a spacecraft's vulnerability to any given threat. The harmfulness indexing methodology provided clues as to what made spacecraft harmful and how this might be regulated through arms control measures. The same delegation presented new approaches to the concept of keep-out zones (KOZ). Past suggestions for KOZ had focused on establishing protected volumes in space such as the concentric spherical shells called "space-fences", while the proposed concept of the "free space" KOZ involved two stipulations: satellites should remain outside the minimum keep away distance at all times and satellites might remain within the flyby distance for a period of time no longer than the maximum flyby time. The delegation viewed the creation of KOZ as an effective confidence-building measure. The installation of beacons on satellites was

suggested as a possible means of ensuring accurate data on their location relative to KOZ.

55. One delegation of the same Group recalled its proposal of a step-by-step approach, starting with the adoption, by the international community, of the principle of non-interference with non-aggressive space activities, which should form the basis of a régime of confidence-building measures. In a working paper (CD/1092 - CD/OS/WP.46) and in an expert presentation, it developed its proposal for the reinforcement of the 1975 Registration Convention, for rules of conduct for space objects, for measures of transparency and for an International Trajectory Centre. It also introduced a proposal for regional transparency agencies, providing for access to satellite imagery in the framework of regional agreements on confidence- and security-building measures.

56. The delegation of another Western State, in an expert presentation (contained in Document CD/WP/OS.48), also focussed on the confidence- and security-building aspects to be included in the provisions of a Protection régime for outer space. It considered that transparency and restraint in space activities should be promoted by a code of conduct supplemented by registration and notification measures linked to rules of the road for in-orbit space objects for better monitoring as well as to keep-out zones. Proposals for strengthening the requirements of registration and notification could be enhanced by pre-launch inspection of space objects. According to the expert, unlike weapon-related agreements, a Protection régime for outer space would allow a more general assessment of capabilities, with provisions which would differ considerably in terms of stringency and intrusiveness of monitoring. It would be possible to combine the three areas of declaratory, intentional and substantial confidence- and security-building measures.

57. Another Western delegation in an expert presentation briefed the Ad Hoc Committee on the possibilities of current and future space technologies for disarmament verification. The expert indicated that in order to achieve effective verification it could be advantageous to use a combination of mutually reinforcing methods in a staged approach. After a short survey of the present technical possibilities the expert spoke of the future of the verification-related space technology in Europe. In this respect he introduced the EUCLID Programme of the Independent European Programme Group (IEPG), and the Programme of the Western European Union (WEU). He stressed that a good cooperation among all the technical space, aerial and ground-based means could provide guarantees for the prevention of a new arms race.

58. An expert from another Western delegation addressed the problem of debris and military activities in space (CD/OS/WP.47, 2 August 1991) trying to assess the danger posed to artificial satellites by orbiting debris. He indicated that military activities in space constituted a large fraction of the total debris population and deployment and the testing of weapons in space would contribute to its further growth. To ensure safe space activity for all, including military operations, an international regime was called for. Some actions which could and should be taken about the debris problem were mentioned, including care about launch operations, keeping of the physical integrity of spacecraft, avoidance of deliberate fragmentation of spacecraft and rockets. It was underlined that plans for any space-based weapon system should be completely revised.

59. One expert from a delegation belonging to the Group of 21 addressed possibilities of monitoring testing of existing and potential ASAT weapons. A number of ways that satellites could be made inoperational were indicated. Among the future potential ASAT weapons mention was made of lasers, space mines, brilliant pebbles, high power microwaves, rail-guns, and neutral particle beams. It was said that during testing the characteristic parameters of weapons systems should show up. Among the various ways to monitor weapons and weapons testing photographic, heat detection, radar, electromagnetic fields detection, radiometric scattering, and probing techniques were discussed. Tagging was mentioned as one example of cooperative measures. With novel encryption techniques, very high degrees of security and authenticity could be obtained. Some of the non-dedicated ASAT weapons were said to be hypothetical in contrast to the monitoring techniques, which already had existed for some time in many cases, although an elaboration of these techniques in relation to a realization of the potential weapons concepts was claimed to be necessary.

#### IV. CONCLUSIONS

60. There continued to be general recognition in the Ad Hoc Committee of the importance and urgency of preventing an arms race in outer space and readiness to contribute to that common objective. The work of the Committee since its establishment in 1985 has contributed to the accomplishment of this task. The Committee held a wide ranging exchange of views and heard a number of expert presentations which contributed to identifying and clarifying a number of issues and to a clearer perception of the various positions. The Committee,

while aiming at identifying areas of convergence suitable for further structured work, advanced and further developed the examination and identification of various issues relevant to the prevention of an arms race in outer space. It was recognized once more that the legal régime applicable to outer space by itself did not guarantee the prevention of an arms race in outer space. There was again recognition of the significant role that the legal régime applicable to outer space played in the prevention of an arms race in that environment and of the need to consolidate and reinforce that régime and enhance its effectiveness and of the importance of strict compliance with existing agreements, both bilateral and multilateral. There was general recognition of the importance of the bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America and it was stressed that bilateral and multilateral efforts were complementary. In the course of the deliberations, the common interest of mankind in the exploration and use of outer space for peaceful purposes was acknowledged. In this context, there was also recognition of the importance of paragraph 80 of the Final Document of the first special session devoted to disarmament, which stated that "in order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies". The Ad Hoc Committee continued its examination of existing proposals and gave a preliminary consideration to a number of new proposals and initiatives aimed at preventing an arms race in outer space and ensuring that its exploration and use will be carried out exclusively for peaceful purposes in the common interest and for the benefit of all mankind.

61. In the context of their contribution to the discussions on all aspects of the mandate and work programme, the importance of the presentations in the Committee relating to confidence-building measures and to greater transparency and openness in space made in the course of the 1991 session was recognized by the Committee. Although cognizant of the various positions on these matters the Committee also recognized the relevance of that discussion to the work of the Committee. The Committee also noted the valuable and significant contribution to this discussion of the experts from many delegations and expressed its appreciation to those delegations that provided those contributions. The Committee equally expressed its appreciation of the preliminary work done by the Friends of the Chairman, viewing the outcome of

their exercise as an encouraging development in the process of building upon the areas of convergence. The Committee recommended that this exercise be continued in 1992.

62. It was agreed that substantive work on this agenda item should continue at the next session of the Conference. It was recommended that the Conference on Disarmament re-establish the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space with an adequate mandate at the beginning of the 1992 session, taking into account all relevant factors, including the work of the Committee since 1985.

A N N E X

The present Annex contains the lists of topics that were presented by the Chairman corresponding to each one of the three items of the Committee's Programme of Work. The lists were elaborated to enable the Committee to structure its deliberations in an orderly and systematic manner. They do not represent in this sense an agreed or exhaustive listing nor do they reflect an order of priority among the items. The lists of topics reflect the questions on which the Committee has been working thus far and that could constitute a guide for future deliberations.

LIST OF TOPICS FOR DISCUSSION UNDER ITEM 1 OF THE PROGRAMME OF WORK:  
EXAMINATION AND IDENTIFICATION OF ISSUES RELEVANT TO THE PREVENTION  
OF AN ARMS RACE IN OUTER SPACE

- I. The Prevention of an Arms Race in Outer Space as a matter of priority in the international agenda.
  1. Determination of the scope and objectives of multilateral work under the agenda item.
  2. The status of Outer Space:
    - as the common heritage of mankind which should be used exclusively for peaceful purposes;
    - as the province ("apanage") of mankind.
  3. The identification of the functions performed by space objects and of threats confronting them.
  4. The need for identification and elaboration of mutually-agreed legal terms:
    - possible elaboration of a glossary of relevant definitions
    - discussion or possible updating of Canadian working paper CD/716 on "Terminology Relevant to Arms Control and Outer Space"
    - additional sources: UNIDIR's report on Problems Related to Outer Space (1987)
    - other sources.
  5. Examination of sufficiency and adequacy of the existing legal regime.
  6. Approaches to reach a common understanding of what the existing legal norms do with regard to outer space activities:
    - recognition of limitations of the existing regime.
  7. Functioning of the existing legal instruments:
    - encouragement for wider participation and fuller compliance as generally acceptable means for strengthening of the regime.

II. Relationship between space activities, security and stability.

1. The absence at present of weapons in space.

- acknowledgement of non deployment, at present, of weapons in outer space
- existence of ground-based weapons aimed at space located targets
- testing of air-based weapons aimed at space located targets
- space-based weapons at research stage.

2. The relationship between the Prevention of an Arms Race in Outer Space and Arms Limitation and Disarmament Measures in other areas.

- interrelation between measures related to Outer Space and other aspects of the disarmament and arms limitation domain.

3. Vulnerability and immunity of satellites, their role and use for purposes of reliable verification.

4. Different concepts relating to International Verification Systems:

- comprehensive, combined
- treaty specific
- National technical means additioned by other methods suitable for multilateral agreements
- analysis of technologies available.

5. Questions relating to compliance.

6. The need, for information on how outer space is being used:

- confidence building and predictability synthetic approach

7. National Space programmes of military significance.

III. New trends and dimensions of the Arms Race and its possible impact on the prevention of an Arms Race in Outer Space

1. Impact of science and technology in the prevention of an arms race in outer space.

IV. Importance and scope of the bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America

1. Harmonization of work at the bilateral and multilateral levels.

2. Role of the Conference on Disarmament.

LIST OF TOPICS FOR DISCUSSION UNDER ITEM 2 OF THE PROGRAMME OF WORK:  
EXISTING AGREEMENTS RELEVANT TO THE PREVENTION OF AN  
ARMS RACE IN OUTER SPACE

I. General consideration on the legal regime applicable to Outer Space relevant to the prevention of an Arms Race in this field

1. Peaceful Uses

2. Non-aggressive uses

3. Military uses.

4. Alternative approaches. The concept of Non Interference with Non Aggressive Activities of Space Objects.

II. Sources

## 1. Customary Law

## 2. The Charter

- Preamble.
- Art. 1 (1)
- Art. 2 (2) and (4)
- Art. 51

III. The Outer Space Treaty of 1967

## 1. Article IV

- scope of the prohibition
- possibility to ban activities or weapons not included in the prohibition set forth by Art. IV through the development of the concept of Non Interference with Non Aggressive Activities of Space Objects.

## 2. The question of the principle of exclusive use for peaceful purposes as reflected in the Treaty.

## 3. Perceived lacunae.

## 4. The question of the existence of a "double" regime applicable to Outer Space.

IV. Adequacy/Inadequacy-Sufficiency/Insufficiency

## 1. Limitations and loopholes.

## 2. consolidation, reinforcement, development:

- by direct amendments
- through an indirect approach (CBMS)

## 3. participation

V. The role of the Bilateral Agreements

## 1. The ABM treaty.

VI. The Strategic Defenses

## 1. Their impact on the problem under consideration:

- protection against ballistic missile attacks.

LIST OF TOPICS FOR DISCUSSION UNDER ITEM 3 OF THE PROGRAMME OF WORK:  
EXISTING PROPOSALS AND FUTURE INITIATIVES ON THE PREVENTION  
OF AN ARMS RACE IN OUTER SPACE

I. The Outer Space Treaty

## 1. Existing restrictions and scope of the instrument.

## 2. Amendment proposals:

- 2.A. Analysis of the consistency of Art. IV under the perspective of the regime applicable to Outer Space as distinct from the one confined to the Moon and Other Celestial Bodies. Consequential amendment.

2.B. Extension of the present prohibition to all kinds of weapon systems (CD/851).

2.C. Enlargement of the prohibition spelt out in art. IV to make it applicable to any kind of weapon systems (CD/939).

## II. Anti-Satellite Weapon Systems (ASATs)

1. Banning of all ASAT weapons.
2. The question of banning dedicated ASAT weapons/specialized ASAT systems.
3. Banning of ASAT-mode testing of other weapon devices.
4. Gradual approach: 1. first use limitations; 2. rules of the road leading to a Comprehensive Ban on Satellite Intercept Capability.
5. Conclusion of an Additional Protocol for the purpose of prohibiting the development, production, storage and deployment of anti-satellite weapons not stationed in Outer Space.

## III. Confidence-Building Measures

1. Synthetic Approach. Confidence Building and Predictability Measures in Outer Space.
2. Improvement of Data Bases.
3. The Registration Convention:
  1. strengthening of its regime
    - 1.A additional protocol
    - 1.B. refinement of information to be supplied as provided for in art. IV of the Convention
    - 1.C. possible additional criteria
      - pre-launch information
      - announcement of parameters
      - updating
      - other.
  2. Voluntary Data Exchanges
    - 2.A Declaration of Non Deployment of Weapons in Outer Space
3. Rules of the Road Concept
  - 3.A restrictions on very low altitude overflights by manned and unmanned spacecraft
  - 3.B advanced notice of launch activities
  - 3.C specific rules for agreed and possible defended "keep out" zones
  - 3.D grant or restrictions of the right of inspections
  - 3.E limitations to high velocity fly-bys
  - 3.F limitations on trailing
  - 3.G consultation on ambiguous situations

4. Code of Conduct Concept:

4.A Codification of the principle of non-interference with non-offensive space activities

4.B International Trajectory Centre - UNITRACE

5. Data Base

5.A Establishment of a Data Base on the launching of satellites and the collection and classification of technical data

6. Combined Approaches

6.A The "Open Outer Space" concept

IV. The Role of the New Technologies

1. Non Nuclear Defences against strategic ballistic missiles

2. Phased program for co-operative transition to increasing reliance on such defences

3. Predictability Measures.

V. Verification

1. General:

1.A interrelationship between verification in space and on earth's surface related to space

1.B definitional questions (identification of space activities which have inherent arms applications)

1.C practical difficulties including resources and funding

1.D the need to evolve from the almost exclusive use of National Technical Means of Verification to other methods involving multilateral agreements

2. Second Additional Protocol on Verification. Ref. CD/939.

3. Verification of Space activities. The question of confidentiality. Disclosure of information.

4. Utilization of commercial space based remote sensing imagery.

5. Agency for Processing of Space Images.

6. Protection (immunity) of satellites serving as National Technical Means of Verification.

7. Technologies available:

7.A microwave radar imaging

7.B satellite-borne sensors

7.C infra-red devices

7.D tagging of satellites

7.E other.



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