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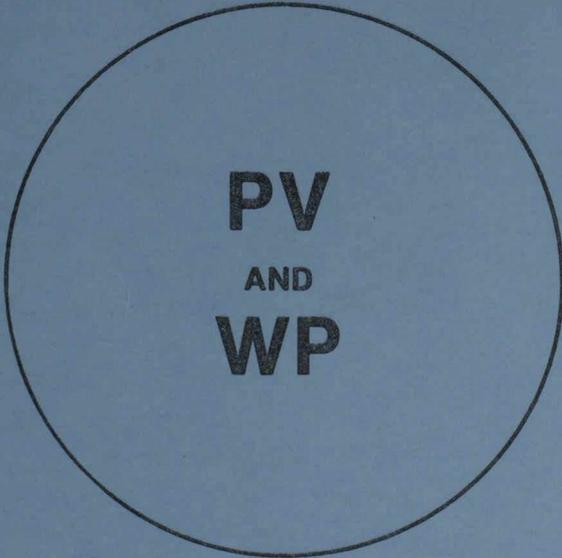
PREVENTION OF AN ARMS RACE IN OUTER SPACE

FINAL RECORDS (PV)

AND

WORKING PAPERS (WP)

1990



PV
AND
WP

ARMS CONTROL AND DISARMAMENT DIVISION
EXTERNAL AFFAIRS AND INTERNATIONAL TRADE CANADA
OTTAWA, CANADA

FEBRUARY 1991

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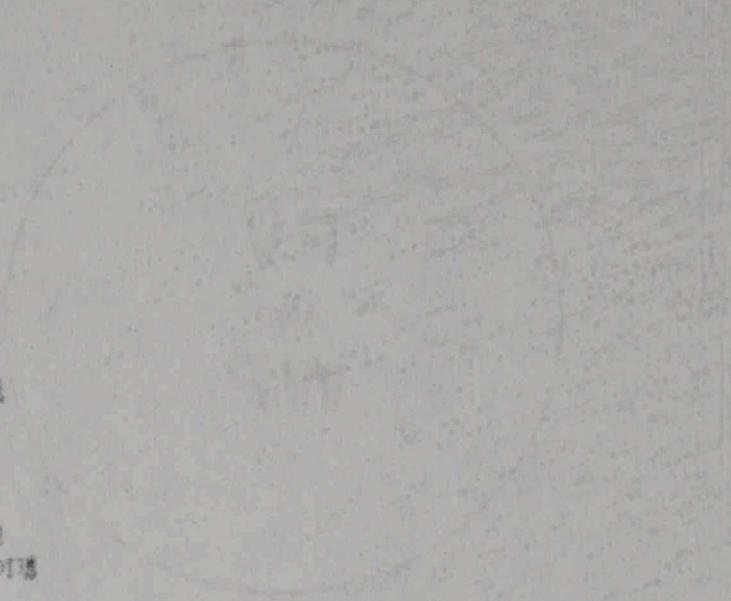
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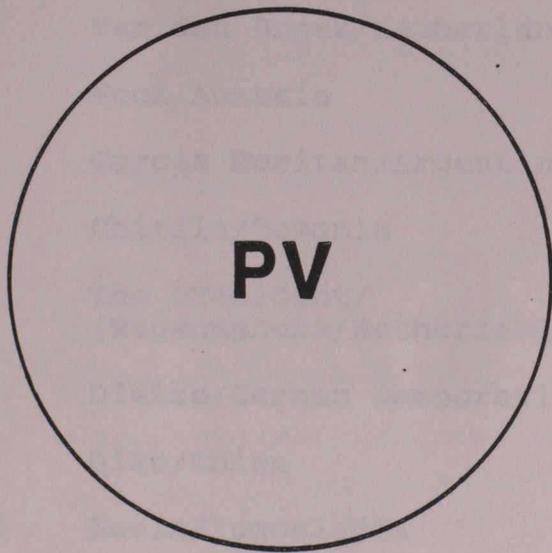
PREFACE

This volume is a compilation of final records (PVs) of the Conference on Disarmament during its 1990 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 1990 relating to the same subject. It has been compiled and edited to facilitate discussions and research on the outer space issue.

PV

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Mr. MARIN BOSCH (Mexico)

The delegation of Mexico would like to make a few comments on item 5 on our agenda, "Prevention of an arms race in outer space", and share with the other delegations some of our general considerations on the work and the future of the Conference.

(...)

For centuries the conquest of space was but a dream cropping up sporadically in theoretical debates among scientists or in the tales of writers. In the last few decades that dream has turned into reality and today is an enterprise, a vast enterprise which, encouraged by man's pioneering and adventurous spirit, offers us many opportunities for international co-operation. However, we should recognize that 30 years after the beginning of the space era, and despite our best intentions, the United Nations has not yet succeeded in forging a definite and defining role for itself in this sphere. In contrast to the chapters relating to decolonization and international economic co-operation contemplated in the Charter of the Organization itself, the United Nations has had to improvise in the area of outer space, as indeed it has had to fill the gap in the Charter with regard to nuclear weapons. And it is in this very task of improvisation that the General Assembly has had to grapple with many a difficulty, including sometimes opposing interpretations and intentions.

When and why did these difficulties arise? The question has no easy answer. Are we dealing with a manufacturing defect, an original flaw, or is it just a stumbling-block - a mere accident? Let us look at how the matter stood in 1957. In the autumn of that year both super-Powers were in a position to launch a test satellite. On 4 October the Soviet Union was the first to do so. That event surprised many and served as a stimulus to others. The result was the inclusion of an item entitled "Question of the peaceful use of outer space" in the agenda of the thirteenth session of the General Assembly, held in 1958. On completing its consideration of that item, the General Assembly adopted resolution 1348 (XIII), thus establishing an ad hoc Committee on the Peaceful Uses of Outer Space (COPUOS) made up of 18 nations and entrusted with reporting on the activities and resources of the

(Cont'd)

President: Mr. Hendrik Wagenmakers (Netherlands)

The calendar has it that February is a short month for transacting business in the Conference. Consultations are under way on the re-establishment of an ad hoc committee under agenda item 5, entitled "Prevention of an arms race in outer space".

President: Mr. Emeka Ayo Azikiwe (Nigeria)

Allow me to thank Ambassador Hendrik Wagenmakers of the Netherlands for the very effective and able manner in which he discharged his responsibilities during the month of February. He showed once more his diplomatic skill and experience in the field of disarmament and advanced substantially the organization of our work for the annual session. In that connection, I pledge to all of you the commitment of the Nigerian delegation to actively continue to deal with all those matters which are still subject to consultation. I intend to engage in renewed efforts with the objective of re-establishing the Ad hoc Committee on the Prevention of an Arms Race in Outer Space at the earliest possible date, and to conduct consultations on agenda items 2 and 3 in the next few days.

Mr. KOSIN (Yugoslavia)

It is commonplace to say that outer space is the heritage of all mankind. It must therefore remain a domain for exclusively peaceful co-operation which is of invaluable benefit to all countries. This is why it is of vital importance to disarmament, to economic development and to scientific progress to prevent an arms race in outer space. To date the Conference has performed useful work on identifying and clarifying the various aspects of this complex item. It has before it numerous proposals aimed at supplementing and elaborating upon the existing legal régime, which should continually be strengthened. The Conference must urgently fulfil its role in the elaboration of 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. The Conference cannot renounce pursuit of the achievement of meaningful measures in the search for effective solutions. That there should be a timely reaction to this can be seen from the statement made in the plenary of the Conference that United States-Soviet bilateral negotiations are "based upon a mutual recognition that there is no absolute weapon - offensive or defensive". This clearly indicates the negative consequences of deployment of any weapons in outer space. This is also recognized to be an urgent issue, as an increasing number of countries are becoming technologically capable of conquering outer space, in which only military activity aimed at verifying disarmament treaties could be useful. The urgent elaboration of a system of confidence-building measures would clear the way for essential steps towards preventing the arms race.

Mr. QIAN (China)

The United States and the Soviet Union are applying the most sophisticated scientific and technological achievements to the development of space weaponry. This will inevitably extend the current arms race on land, at sea and in the air to a new arena - outer space - thereby adding a new threat to the world peace. It should be stressed, in particular, that many of the justified wishes and demands of the third world and small and medium-sized countries on the question of disarmament have not been given due attention. In the eyes of some big Powers, multilateral disarmament efforts seem to be negligible. More often than not, their significance and role are deliberately underestimated. Consequently, in the multilateral field, including this Conference, progress on a number of important disarmament questions is not satisfactory and in some cases has simply stalled. In recent years there have been obvious attempts to shift the pressure onto the third world by exploiting such issues as conventional disarmament and the prevention of nuclear and CW proliferation.

(...)

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Progress in nuclear and conventional disarmament has made disarmament in outer space and at sea an increasingly prominent issue. China holds that all countries with space capabilities, especially the major Powers in this field, should take prompt measures to prevent and halt the arms race in outer space, starting with the complete prohibition of space weapons. The existing international legal instruments relating to outer space, notwithstanding their positive role, are far from adequate to prevent weapons from entering outer space. We therefore support negotiations at the Conference on Disarmament for the early conclusion of an international agreement to ensure a weapon-free outer space.

President:

Mr. Hendrik Wagenmakers

(Netherlands)

In connection with the re-establishment of the Ad hoc Committee under agenda item 5, entitled "Prevention of an arms race in outer space", I am continuing my consultations with a view to reaching early agreement on this question. Once work in the subsidiary bodies starts, we shall then proceed as usual to circulate a timetable of meetings of the Conference and its subsidiary bodies, for the information of delegations.

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Mr. DIETZE (German Democratic Republic)

In the field of the prevention of an arms race in outer space too we are carrying many problems into the 1990s. Rapid and serious steps are urgently needed now to diminish these deficiencies. Thanks to the committed work of Ambassador Bayart, Chairman of the outer space Committee, a considerable number of proposals lie on the table. The German Democratic Republic is prepared to hold discussions in an intensive manner, with experts being involved. Far-reaching understanding seems to exist in terms of the usefulness of confidence-building measures. Here we have in mind the proposals made by France, Canada, the USSR, the Federal Republic of Germany and Poland. The same holds true for the proposals advanced by socialist States and non-aligned countries concerning agreements on the prohibition of anti-satellite weapons and other space weapons. The German Democratic Republic has repeatedly taken initiatives in this field, and intends to develop them further.

Mr. GARCIA MORITAN (Argentina)

In my first statement before the Conference on Disarmament I have the satisfaction of reading the following special message addressed to this body by the President of Argentina, Carlos S. Menem:

(...)

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"The prevention of an arms race in outer space is another area that must be tackled with renewed commitment. A sphere that must be reserved for the common welfare of mankind cannot be subjected to power politics.

Mr. CHIRILA (Romania)

The prevention of an arms race in outer space, as the recent General Assembly resolutions prove, remains one of the major concerns of the international community. We support all measures negotiated and agreed bilaterally or multilaterally, even if they are incomplete, which can prevent the introduction of weapons and weapons systems in outer space. We favour respect for and the broadening of all existing rules in this field. Our delegation is ready to give its support to proposals concerning, inter alia, the banning of anti-satellite weapons, the elaboration of a code of conduct in outer space or the monitoring of objects launched into space. In our view the mandate and activities of the Ad hoc Committee on outer space at this year's session should reflect and mark a more targeted orientation towards an approach which is both realistic and specific.

Mr. van den BROEK (Netherlands)

We also look forward to specific steps by the United States and the Soviet Union in the field of arms control in outer space. Such steps could clear the way for a more effective debate on this subject in the Conference on Disarmament than has been the case up to now. We believe that this Conference has a role to play in identifying gaps in multilateral arms control in space. Here, too, stability should be our primary goal. Viewed in this light, we still consider protection of high-orbit satellites to be a worth-while aim.

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Mr. MOCK (Austria)

The prevention of an arms race in outer space remains one of the major concerns of the community of States. We believe that the verification of arms control agreements or disarmament agreements should constitute the sole military use of space. The disclosure of other military activities in space would constitute a great step forward towards the achievement of this objective. We regret that no progress was made in this area in 1989. The progress made in the bilateral talks between the two super-Powers towards a START agreement is a positive sign in our view, and we hope that the forthcoming summit between Presidents Bush and Gorbachev will permit further movement in that direction. At the same time we welcome the implementation of the "open skies" concept.

President: Mr. Hendrik Wagenmakers (Netherlands)

As the agenda item entitled "Prevention of an arms race in outer space" is one of the major issues before the international community, I also hope that the Ad hoc Committee dealing with that question will begin its work without delay. I believe that, if we succeed in taking the relevant decisions quickly, the Conference will have made a good start.

Mr. KOMATINA (Secretary-General of the Conference and Personal Representative of the Secretary-General of the United Nations):

The following is the message of the Secretary-General of the United Nations to the Conference on Disarmament.

(...)

"There is a convergence of views that outer space should be used exclusively for peaceful purposes. As emphasized on many occasions, the

Conference on Disarmament has the primary role in the prevention of an arms race in outer space. This is a global issue, since any military activity in outer space is relevant to the whole world.

(Mr. Marín Bosch, Mexico)

United Nations, of its specialized agencies and of other international organizations relating to this matter, the organizational arrangements to facilitate international co-operation in this field within the framework of the United Nations and the nature of legal problems which might arise in the carrying out of programmes to explore of outer space. The resolution was adopted by 53 votes to 9, with 19 abstentions. The opposition came from the countries of Eastern Europe, for two reasons: first, the Committee's mandate passed over in silence the question of the militarization of outer space, and secondly, the Committee's composition was unbalanced as it only included three countries from the Socialist group.

The foregoing was set out in detail on 13 December 1958 by Ambassador A.A. Sobolev of the Soviet Union, who added that his Government would not participate in the work of the Committee because its unbalanced composition had been imposed by a resolution adopted by an "automatic majority". In turn the United States Ambassador, Henry Cabot Lodge, said:

"I heard Mr. Sobolev this evening talk about automatic majorities. One of the things that has impressed me here - and, I think, has impressed quite a number of delegations - is the automatic minority which we see performing fairly regularly. I think that if the day ever comes when the Soviet Union gets a majority in this body - and I hope it will come, because it will mean that the Soviet Union has changed its policy and its attitude - he will not call it an automatic majority. It is automatic when the other fellow gets it."

The following year, when agreement had been reached on a membership which was more acceptable to the countries of the Socialist group, resolution 1472 (XIV) was adopted without a vote. This resolution established COPUOS. On that occasion the General Assembly also decided to convene a first international scientific conference for the exchange of experience in the peaceful uses of outer space. These then are the two pillars on which the work of the United Nations in this field is based: the international conferences, of which UNISPACE 82 was the last, and the annual meetings of COPUOS and its two sub-committees. Though it can be said that in 1959, in establishing COPUOS, the General Assembly was able to overcome the problems deriving from the cold war, the history of recent decades shows us that the exploration and use of outer space, far from turning into a sphere of international co-operation for peaceful purposes, has become yet another arena for confrontation and competition between the two main military Powers.

Military activities in outer space have been the source of growing concern on the part of the international community. Back in 1957, Canada, the United States, France and the United Kingdom presented a proposal for the creation of a technical committee to study the features of an inspection system designed to assure that the launching of objects through outer space would be exclusively for peaceful and scientific purposes. The Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, held in Vienna in August 1982, formulated a set of recommendations designed to further international co-operation in the exploration and use of outer space for exclusively peaceful purposes. As a result of that Conference the General Assembly adopted resolution 37/90, in which, "gravely concerned the

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(Mr. Marin Bosch, Mexico)

extension of an arms race into outer space", it invited "all Member States, in particular those with major space capabilities to contribute actively to the goal of preventing an arms race in outer space, as an essential condition for the promotion of international co-operation in the exploration and uses of outer space for peaceful purposes".

The day before, on 9 December 1982, in its resolution 37/83, the General Assembly had requested this Conference - which was still called a Committee - "to consider as a matter of priority the question of preventing an arms race in outer space" and "to establish an ad hoc working group on the subject at the beginning of its session in 1983, with a view to undertaking negotiations for the conclusion of an agreement or agreements, as appropriate, to prevent an arms race in all its aspect in outer space".

The following year, in its resolution 38/80, the General Assembly called upon "all States, in particular those with major space capabilities, to undertake prompt negotiations, under the auspices of the United Nations, with a view to reaching agreement or agreements designed to halt the militarization of outer space and prevent an arms race in outer space, thus contributing to the achievement of the internationally accepted goal of ensuring the utilization of outer space exclusively for peaceful purposes". In that same resolution it requested COPUOS "to consider, as a matter of priority, the questions relating to the militarization of outer space, taking into account that, in General Assembly resolution 37/83 of 9 December 1982, the Committee on Disarmament was requested to consider as a matter of priority the question of preventing an arms race in outer space, and also taking into account the need to co-ordinate the efforts of COPUOS and the Committee on Disarmament".

Since then, year in, year out, the Assembly has reiterated that this Conference, "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 August 1985 the Group of Six once again urged the United States and the Soviet Union to put an end to the militarization of outer space. At that time - about six or seven years ago - we were being told that COPUOS was not the appropriate forum to consider measures designed to prevent the growing militarization of outer space. The appropriate forum to negotiate agreements, we were told, was this Conference. Already at that time, it was estimated that three of every four of the thousands of satellites launched into outer space had a military use - to improve the effectiveness of armies and their weapons systems, for navigation, communications, meteorology and geodesy, right up to what is called reconnaissance, in other words, the gathering of data on possible military targets. Meanwhile, anti-satellite weapons had already been tested, and thought began to be given to the possibility of establishing an anti-ballistic-missile system in space.

Since then, and as a result of the Strategic Defense Initiative, commonly known as "Star Wars", there has been an increase in the number of contracts for research projects, on which it is calculated that astronomical sums have already been spent. Hence it is natural that hundreds of companies, laboratories and private institutes have evinced growing interest in participating in one way or another in the various projects deriving from

(Cont'd)

(Mr. Marín Bosch, Mexico)

"Star Wars". It is obvious that a vast network of vested interests is taking shape which, as part of the United States military-industrial complex, will perform the task of promoting the programme for their own benefit. There is no doubt that something similar is happening in the Soviet Union.

Despite the repeated appeals of the international community, this Conference has not been able to tackle this priority matter successfully. True, year in, year out we repeat the ritual of establishing an ad hoc committee to consider the item, but because of the opposition of one delegation, this mandate is not a negotiating mandate. The ritual is being repeated at the moment.

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President:

Mr. Emeka Ayo Azikiwe

(Nigeria)

I should also like to inform you that the consultations relating to the re-establishment of the Ad hoc Committee under agenda item 5, entitled "Prevention of an arms race in outer space", have been successfully concluded. I intend, therefore, to put today before the Conference for adoption a draft decision relating to this question, as well as the appointment of the Chairman of the Ad hoc Committee. In order to do so, we shall follow the usual procedure - that is, I will convene an informal meeting of the Conference once we reach the end of the list of speakers. We shall subsequently resume the plenary meeting to formalize the decisions considered at the informal meeting.

Mr. HYLTENIUS (Sweden)

According to the work programme of the Conference, this week should be devoted to the question of the prevention of an arms race in outer space, and this will be the subject of my intervention today.

(...)

More than three decades have elapsed since the beginning of the space era. Nearly 4,000 satellites have since then been launched into orbit. Many States have considerable space programmes and have made heavy investments in peaceful space activities. Only a few, however, have the financial and technological basis for the entire spectrum of space technology, including launching capabilities.

Satellites are likely to become less expensive in the future, as will civilian space services. Sophisticated multi-purpose satellites will probably become less frequent and give way to satellites designed for more limited tasks. Such satellites can be launched by relatively small rockets, at least into low Earth orbits.

Almost all functions performed and services offered by space technology deal with information transmission. Space technology is in fact one of the cornerstones of today's information society. Virtually all States are making substantial use of space programmes in one way or another, especially with regard to communications.

Some of the satellites which play an essential role in verifying disarmament and arms limitation agreements, and other surveillance satellites in low Earth orbit, which can be important for stability, may already be threatened by existing anti-satellite techniques. For example, communication

(Cont'd)

(Mr. Hyltenius, Sweden)

and early warning satellites in geosynchronous orbit - which are even more crucial to stability - will, as a result of technological developments, get within closer reach as potential targets for military attacks.

These developments give rise to serious concern. In my intervention before the Conference on Disarmament on 11 July last year I touched upon the new emphasis apparently being given to anti-satellite programmes. This new emphasis may be attributed to the fact that a major increase has occurred in the number and capabilities of several categories of military satellites. Moreover, a "diffusion" of military space functions seems to be taking place from the strategic down to the tactical level.

The distinction between anti-satellite weapons and strategic defence weapons may not be very clear in some cases. Not only would a ballistic missile defence system be destabilizing: spin-offs of investments originally made for ballistic missile defence purposes could also introduce incentives for new ASAT ventures that would fuel an arms race in outer space.

Since some ASAT systems can have dual ASAT and ABM capabilities, and vice versa, another disturbing phenomenon is that the testing of ASAT weapons could be interpreted as testing of ABM weapons, running counter to the provisions of the ABM Treaty.

Technological developments may also allow for a horizontal spread of ASAT capabilities, as pointed out by the then representative of Sri Lanka to the Conference on Disarmament, Ambassador Rodrigo, in a statement in this Conference on 22 June last year. He stated:

"If the current space Powers do not support a multilateral process for preventing the weaponization of space, the entire existing space system, which is said to provide strategic stability, could with the inevitable proliferation of military space technology, become a soft strategic target."

Since 1985, when the Conference on Disarmament established an Ad hoc Committee on Prevention of an Arms Race in Outer Space, it has carried out useful work in scrutinizing relevant agreements, identifying pertinent issues and elaborating concrete proposals. It has by now been clearly demonstrated through this work that existing international law is insufficient to prevent an arms race in outer space. The protection offered by the current international agreements is not only insufficient; it will increasingly diminish in the face of rapid changes brought about by emerging technologies.

We must not put ourselves in a situation where we will have to address the necessity of negotiating disarmament agreements pertaining to outer space. We are all too well acquainted with the difficulties in trying to reverse a process which has already been supported by heavy political and financial investment. There is therefore an urgent need for the international community to take effective measures to prevent outer space from becoming a new arena for the arms race and thereby also a potential battlefield of the future.

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(Mr. Hyltenius, Sweden)

The overwhelming majority of the members of the United Nations General Assembly have repeatedly urged the Conference on Disarmament to establish a more operative mandate than hitherto for its Ad hoc Committee on this issue. Regrettably, neither the United Nations resolutions nor the reiterated calls by the Group of 21 to this effect have as yet gained the full support of the Conference. The lessening of tension in international affairs should permit a new approach also for this crucial global task before us. An arms race in outer space would negatively affect all States.

My delegation has identified certain measures that, as a first step, should promote crisis stability and strengthen international security. First of all we have proposed that negotiations should start in the Conference on Disarmament on a ban on what are known as dedicated anti-satellite systems. Such a ban was the subject of bilateral talks between the two major space Powers some years ago. As a matter of fact, a de facto moratorium on ASAT testing has been in existence for some years now.

A more challenging task is to come to grips with the many non-dedicated capabilities that can be used for ASAT functions. The Swedish delegation has recommended that agreements be negotiated to ban the testing of such types of devices in an anti-satellite mode. Such a functional approach has a precedent in the ABM Treaty, which refers to testing "in an ABM mode". This would help solve the great difficulty of covering a wide range of techniques which, although not originally designed for ASAT functions, could be modified for such purposes without great difficulty.

The fact that my delegation attaches the highest priority to concrete measures to prevent an arms race in outer space does not imply that we dismiss the relevance of measures to promote increased transparency and confidence-building in space activities. An ASAT ban naturally does not exclude the need for "rules of the road" and other confidence-building measures. We are in fact carefully studying such proposals that have recently been made in the Conference on Disarmament. These proposals deserve to be further discussed in the Ad hoc Committee.

Just to briefly touch upon some of the concepts in this context, I wish to refer to the various ideas that have been put forward concerning immunity for satellites, including the possibility of extending the immunity of the space segment of a satellite to include a certain area surrounding it. Some of these ideas raise questions of principle in international law and may affect provisions in existing treaties. According to the outer space Treaty, outer space "shall be free for exploration and use by all States without discrimination". No "creeping jurisdiction" can be accepted in this regard. In our view, however, an anti-satellite test ban appears to be the most effective method to render protection to satellites. Such a ban would well serve international stability and security. The need for increased transparency regarding satellite activities could be met, for instance, by better use and strengthening of the registration Convention.

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(Mr. Hyltenius, Sweden)

It goes without saying that agreements on measures to prevent an arms race in outer space will have to be supported by stringent verification régimes. Concrete work on verification should therefore start in the Conference on Disarmament. Ambassador Reese of Australia touched upon this in a statement to the plenary of the Conference on 23 March 1989, where he stated:

"Technology is now sufficiently advanced to provide reasonable assurances that bilateral arms control agreements can be effectively verified. The availability to multinational bodies of strategically significant technologies such as space-based remote sensing of spacecraft or of the Earth has also become a reality. The examination of evolving verification technologies and how they could be put to good use in issues related to arms control in outer space is therefore another area which warrants serious examination by our Ad hoc Committee."

At last year's summer session scientific and technical experts from Canada, France, the Federal Republic of Germany and the German Democratic Republic made interesting contributions with regard to verification questions. Such expert input contributes to the advancement of the work of the Ad hoc Committee.

By addressing concrete issues connected with an international régime to prevent an arms race in outer space we choose not to resign ourselves to becoming the passive spectators of uncontrolled development powered by its own dynamics, but to engage in the forward-looking pursuit of common security and a safer international environment for all.

Many of the techniques that may be of interest for confidence-building régimes could perhaps also be relevant for verification of measures to prevent an arms race in outer space. I shall therefore briefly deal with some methods which may be considered for observation and verification tasks - such as observation of satellite orbits or of a satellite's payload and its functions - and which may be of pertinence to different space-related activities.

The fact that the orbiting of satellites is governed by the simple law of dynamics makes observation of satellite movements comparatively uncomplicated. Although orbits may be altered by on-board rockets, for instance, this is an energy-demanding and slow process.

Simple radar systems for acquisition of orbital parameters of satellites in low Earth orbits are moderately costly. For geostationary orbits, on the other hand, radar systems need both considerably larger antennas and very strong transmitting power, which obviously increases complexity and costs.

Until now radar systems have had very limited capacity for imaging or for identifying small structural/geometrical details, which has led to consideration of verification concepts based on satellite-borne instead of ground-based sensors. However, with synthetic aperture radars (SAR), which use a microwave imaging technique for moving sensor platforms, radar systems are acquiring improved capabilities. Multistatic systems with one transmitter and several receivers permit imaging of details far beyond the resolution

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(Mr. Hyltenius, Sweden)

given by the radar antenna itself. If data acquisition is carried out over an extended time during a satellite's passage, more advanced data for identification are attainable even for ground-based radar systems.

As to other available technical means of observation and verification, mention could be made of the tagging of satellites. Tags could, for example, be integrated with beacons or navigation systems so that through satellite communication channels an observing ground station could acquire information concerning the satellite's whereabouts.

I also wish to refer to the interesting idea of a multilateral trajectory centre, presented in the plenary on 18 July last year by Ambassador Morel of France, and further developed by his delegation in the Ad hoc Committee. It presents challenges to both computer systems and system security. Such a body should aim at providing maximum openness. The idea should in the view of my delegation be the subject of further technical discussions.

Since ordinary tracking techniques intended for the tracking of a State's national satellites are generally not adequate for verification of orbital data for satellites belonging to other States, a world-wide network of observation stations, based on radars and optical telescopes, could be established. In this way, States could be efficiently alerted when satellites are not following certain "rules of the road", as well as when larger space debris is on a collision course with satellites. With approximately 7,000 objects in space today, roughly three quarters of which are some kind of space debris, the need for tackling this problem is apparent.

The establishment of an international space surveillance agency could be instrumental in verifying compliance with treaties relevant to the prevention of an arms race in outer space. A global verification system would also have to take into account other means of verification, such as pre-launch inspections to determine the function of a spacecraft, tagging and sealing devices, satellite-borne sensors and other techniques. My delegation would welcome a continuation of the deliberations on these issues, which should be as well structured as possible. We need to establish which verification methods will best serve the task of supporting measures to prevent an arms race in outer space.

At a later stage in this year's session my delegation intends to revert in more detail, and on a technical level, to verification questions which arise in this context.

Let me conclude by underlining the need to arrive at a comprehensive and solid international order to prevent an arms race in outer space. Potentially dangerous developments are always easier to stem as long as they remain mere possibilities. There can be no doubt that it will be considerably less difficult for this Conference to negotiate multilateral agreements to prevent an arms race in outer space than to seek to reverse an uncontrolled process in a couple of years' time.

President: Mr. Emeka Ayo Azikiwe (Nigeria)

I should like now to turn to the re-establishment of the Ad hoc Committee under agenda item 5, entitled "Prevention of an arms race in outer space". The draft mandate for the Ad hoc Committee has been circulated by the secretariat in document CD/WP.378. If there is no objection, I shall consider that the Conference adopts the draft decision.

It was so decided.

The PRESIDENT: I wish now to put before you the appointment of Ambassador Gerald Shannon of Canada as Chairman of the Ad hoc Committee. I understand that there is consensus on this appointment.

It was so decided.

The PRESIDENT: I wish, on behalf of the Conference to extend our congratulations to Ambassador Shannon on this important appointment. I should also like to ask the deputy representative of Canada, Mr. Robertson, to transmit to Ambassador Shannon our best wishes for success in discharging the responsibilities which will face him as presiding officer of the subsidiary body.

I now give the floor to the representative of Venezuela, Ambassador Arteaga, who will speak in his capacity as co-ordinator of the Group of 21 for agenda item 5.

Mr. ARTEAGA (Venezuela) (translated from Spanish): Mr. President, I should like to take this opportunity to express our sincere pleasure at seeing you presiding over the Conference on Disarmament for the month of March. Your recognized qualities as a diplomat, your vast experience and your ability guarantee the best possible development of the work of the Conference under your skilful guidance. I should also like to emphasize that relations between Nigeria and Venezuela have always been characterized by friendship, co-operation and solidarity. We would also like to express our gratitude and at the same time our congratulations to Ambassador Wagenmakers for the effective and productive way in which he guided the work of the Conference during the month of February. I should also like to stress that relations between the Netherlands and Venezuela are extensive and significant. Finally, I would also like to express my gratitude for the kind words of welcome that you have addressed to me on the occasion of my joining the Conference on Disarmament.

I am now going to make a statement on behalf of the Group of 21, on the adoption of the mandate of the Ad hoc Committee on the Prevention of an Arms Race in Outer Space. I shall read this statement in English.

(Mr. Arteaga, Venezuela)

(continued in English)

The General Assembly on 15 December 1989 yet again, with an overwhelming majority and with only one dissenting vote, adopted resolution 44/112 on the prevention of an arms race in outer space. The resolution requests the Conference on Disarmament to consider as a matter of priority the question of preventing an arms race in outer space and to intensify its consideration of that question, in all its aspects, taking into account all relevant proposals and initiatives. The resolution further requests the Conference on Disarmament to re-establish an ad hoc committee with an adequate mandate at the beginning of its 1990 session, 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.

The Group of 21 is fully committed to the provisions of this resolution. It considers its adoption as yet another expression of strong support to entrust the Ad hoc Committee with an improved mandate in conformity with the responsibilities of the Conference on Disarmament as the single multilateral forum for disarmament negotiations. The Ad hoc Committee on the Prevention of an Arms Race in Outer Space has, over the past few years, 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.

While continuing to underline the importance of the exploration and use of outer space for peaceful purposes and the urgency of preventing an arms race from taking place in outer space, the Group of 21 considers that it has now become necessary to improve the mandate and the organization of work of the Committee so as to make explicit the consideration of proposals for the identification of concrete measures aimed at preventing an arms race in outer space.

Faced once again with a rigid position within the Western Group, the Group of 21 regrets that it has not been possible to improve the mandate. In view of the urgent need to address, without delay, the important question of the prevention of an arms race in outer space, which requires the prompt re-establishment of the Ad hoc Committee, the Group of 21 has decided, once again, to demonstrate further good will and flexibility in agreeing to work on the basis of the mandate of the previous years. The Group of 21 recalls that the mandate covers the consideration of proposals for measures aimed at the prevention of an arms race in outer space. The Group of 21 is of the opinion that the Ad hoc Committee should therefore start work immediately, in order to achieve progress and achieve positive results, and expects substantial movement on the mandate issue next year, in keeping with the importance of the subject within the global disarmament agenda.

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(Mr. Arteaga, Venezuela)

(continued in Spanish)

This is the text of the Group of 21's statement, which I wish to convey to the Conference. I should also like on behalf of the Group of 21 to express our sincere congratulations to Ambassador Shannon of Canada on his election as Chairman of the Ad hoc Committee on item 5. We are sure that Ambassador Shannon will skilfully guide the work of the Ad hoc Committee and will work resolutely towards the achievement of constructive results that we are all interested in. Ambassador Shannon can count on the full co-operation of the Group of 21.

The PRESIDENT: I thank the representative of Venezuela for his statement and for the kind words addressed to me. I now give the floor to Ambassador Morel of France, who will speak in his capacity as Co-ordinator of the Western Group.

Mr. MOREL (France) (translated from French): Before I speak on behalf of the Group of Western Countries, allow me, Sir, since I am taking the floor for the first time this month, to congratulate you on taking up the post of President and say how pleased we are to see you guiding our work with competence, efficiency, benevolence and even, as you showed us this morning, humour. Nor can I refrain from recalling that this month of Nigerian presidency is starting just after the visit to France by the President of the Republic of Nigeria, which was an enormous success and demonstrated our excellent relations once again. Allow me also to extend my congratulations and thanks to Ambassador Wagenmakers of the Netherlands for the remarkable way in which he presided over the Conference in February, securing from us collectively through his actions the adoption of important decisions which, I believe, consolidate the spirit in which we work.

Speaking on behalf of the Group of Western Countries, I would like to express our satisfaction at the fact that the Ad hoc Committee on the Prevention of an Arms Race in Outer Space has been re-established for this session, with a mandate adopted in the same conditions as in the last session. We believe that the sterile pursuit of a procedural debate leads only to a waste of valuable time which we wish to devote totally to the Ad hoc Committee's substantive work. Moreover, we are convinced - and experience last session provided ample proof of this - that the mandate of the Ad hoc Committee adopted by the Conference is sufficiently clear, broad and flexible to allow all interested delegations to contribute in a constructive way to reading our common goal, the prevention of an arms race in outer space. As in the past, the Western Group intends to play an active part in the work of the Ad hoc Committee. It addresses its warmest congratulations to Ambassador Shannon of Canada on his election to the chairmanship of the Ad hoc Committee. It is proud to see a very competent representative, from a country very committed to the prevention of an arms race in outer space, taking up this senior post. It assures him of its full support in his important task and is ready to get down as soon as possible, under his leadership, to the specific details of the organization of the Ad hoc Committee's session.

The PRESIDENT: I thank the distinguished representative of France for his statement and for the kind words addressed to me. I now give the floor to the distinguished representative of China, Ambassador Hou Zhitong.

Mr. HOU (China) (translated from Chinese): Mr. President, as I am speaking in the plenary for the first time this month, I would like to congratulate you on taking up the presidency of the Conference for the month of March. We are convinced that under your outstanding guidance the Conference will continue to achieve new progress, and we would like to thank the Ambassador of the Netherlands for his outstanding work and contribution during his presidency in the month of February. Under your guidance, Sir, the Ad hoc Committee on the Prevention of an Arms Race in Outer Space has been formally re-established, and this is another step forward in a short period of time. For this reason I would like to congratulate you and other delegations. I would also like to congratulate the Ambassador of Canada on his appointment as Chairman of the Ad hoc Committee. I hope that under his Chairmanship new progress will be made on the important issue of the Prevention of an arms race in outer space. China's principled position on the prevention of an arms race in outer space is well known, and I will not repeat it. At the same we express our support for the Group of 21's positive position of principle on this issue. We appreciate the constructive efforts made by the Group of 21 to ensure an early start to the work of the Ad hoc Committee. The Chinese delegation will, as always, continue to co-operate in a meaningful way with you, Mr. President, as well as with the Group of 21 and other delegations.

The PRESIDENT: I thank the distinguished representative of China for his statement and the kind words addressed to me. I now give the floor to the representative of Mongolia, Mr. Erendo.

Mr. ERENDO (Mongolia): I think my Ambassador, when he speaks in the plenary, will more officially congratulate you on taking up the presidency for this month. Nevertheless, I would like to join the previous speakers in congratulating you on taking up this important position, and to pledge the co-operation of our delegation.

As item co-ordinator of our Group, my delegation would like to express satisfaction at the establishment of the Ad hoc Committee on outer space. At the same time I would also like to express the appreciation of our Group to the Group of 21 for their spirit of co-operation and compromise, which made possible the re-establishment of the Ad hoc Committee on the Prevention of an Arms Race in Outer Space. I would also like to recall that we in our Group also hoped that the mandate could be improved in accordance with the General Assembly resolutions of the last three years, but it proved to be impossible to improve the mandate this year. We hope that next year we will have an opportunity to look into this matter more profoundly and be able to improve the mandate in accordance with the expressed will embodied in the General Assembly resolutions.

The PRESIDENT: I thank the distinguished representative of Mongolia for his statement and the kind words addressed to me. I now give the floor to the distinguished representative of Canada, Mr. Robertson.

Mr. LEDOGAR (United States of America)

Mr. President, the United States delegation and I personally would like to join with those who have already congratulated you upon your assumption of the presidency during the second month of the Conference on Disarmament's 1990 session. Under your guidance, we have already established the Ad hoc Committee for outer space, an important achievement in the eyes of my Government, and admitted several non-member participants to the CD.

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Since 1985, the Conference has considered, in successive ad hoc committees, questions related to the "Prevention of an arms race in outer space". The United States has conducted its own examination of possible measures that might be feasible and desirable to serve as the basis for possible negotiations on further multilateral arms control agreements that apply to outer space. To date, my Government has yet to see any proposals from others that we believe are feasible, desirable, and verifiable. And we ourselves have not identified any such appropriate measures to propose. We offer our support and co-operation to my distinguished colleague Ambassador Shannon of Canada in his chairmanship of the Ad hoc Committee established last week, and we are prepared to consider any proposal that emerges there. But we are not able to accept calls for multilateral negotiations in this area.

Mr. ARTEAGA (Venezuela)

We would like to express appreciation for the efforts made during 1989 by Ambassador Bayart of Mongolia as Chairman of the Ad hoc Committee on the Prevention of an Arms Race in Outer Space. Likewise we reiterate our congratulations to Ambassador Shannon of Canada on his appointment as Chairman of the Committee for this session. Our delegation has assigned special importance to the initiatives relating to the prevention of an arms race in outer space. It is for this reason that Venezuela has insisted, both in the Conference plenary and in the Ad hoc Committee, on the need to focus our efforts on the adoption of specific measures designed to prevent an arms race in this environment. This procedure would be in keeping with the content of

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the resolutions adopted by the United Nations General Assembly, and here I would like to refer to the most recently adopted resolution, resolution 44/112, which in operative paragraph 8 requests the Conference on Disarmament to re-establish an ad hoc committee with an adequate mandate at the beginning of its 1990 session, 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. Such a decision is becoming more and more urgent by the day because of the justified concern of the international community about the use of new technologies in the military field, and the application of scientific research for the development for new weapons that are designed to be used in outer space. As to the specific work of the Committee, we have noted with concern the attitude of some countries that are trying to limit the Committee's work indefinitely to a general exchange of views on the subject, and their lack of interest in carrying out concrete negotiations.

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(Mr. Arteaga, Venezuela)

The work done in previous years has led to progress in the examination and identification of the various questions relating to the prevention of an arms race in outer space. A number of questions have been identified, and although we have not achieved a common approach, there is better understanding of the problems and of the various views. The Committee has given careful consideration to the applicable legal régime for outer space through a detailed analysis of the existing treaties on the subject. It has been recognized that this régime applicable to space is not, as such, sufficient to prevent an arms race there. Hence the need to consolidate it, strengthen it and make it more effective. There is also a need for strict observance of existing agreements, both bilateral and multilateral.

A sizeable number of measures have been proposed to prevent an arms race in outer space and ensure that the exploration and use of space will be pursued solely for peaceful purposes, in the interest of and to the benefit of all countries. Some of these proposals involve an all-embracing approach, for the total, universal prohibition of weapons in space at the earliest date. Others are specific proposals for partial measures, as well as some measures concerning confidence-building. In the future work of the Committee account should be taken of the work already done. For this reason we believe that the time has come for the Committee to focus its attention on the consideration of concrete measures designed to prevent an arms race in outer space. Thus our position is clearly based on very practical and realistic reasons, and not on symbolic or whimsical positions. We would like to reiterate the proposal that was presented by the delegation of Venezuela in this body, designed to extend the partial ban on space weapons set forth in the outer space Treaty of 1967 to convert it into a total ban that would cover any kind of weapon or system of such weapons that could be used in space, from space or into space. This proposal, which is designed to bring about a comprehensive approach, is contained in document CD/851 dated 2 August 1988.

Mr. HOULLEZ (Belgium)

If the Conference is to have a chance to contribute here, all the participants will have to decide to rise above the traditional controversies on the role of the Conference which regularly lead us to deadlock, for example, on items 1 (nuclear tests) and 5 (outer space). All delegations are aware of the limits within which these committees can operate, and yet the formula which allows us or would allow us to resume work is or was the cause of considerable delay in starting work.

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Mr. GUTIERREZ (Peru)

A few days ago we adopted a mandate for the establishment of an Ad Hoc Committee to deal with the arms race in outer space. Nevertheless, as was very well stated by Ambassador Marín, we did no more than perpetuate a ritual, by means of which we perform the function of gathering ideas and proposals - most of them very useful and with great potential for being developed - without facing up to the essential decision related to this problem, which is to start substantive work on a legally binding convention that will ban all types of weapons from outer space. Arguments such as the need to carry out further analysis of the proposals that we have accumulated over the past five years do nothing but sidestep the question of the urgency with which most of the participants in this Conference view the need to refine the legal régime applicable to outer space.

Several of the distinguished speakers who have taken the floor in this forum over the past weeks have spoken to us about the frenzy of change that is taking place on the international political scene. This "revolution of '89", as some call it, may yet produce tangible results in various sectors of disarmament. We are pleased that in areas such as the limitation of strategic weapons and nuclear tests, or the reduction of troops and chemical stockpiles, we can definitely say we are making progress. Of course we need to have a much more organic and complete link between these achievements and the work of this Conference. Nevertheless, we cannot deny their contribution to

(Mr. Gutiérrez, Peru)

international détente. Yet at the same time that we see all this progress being made, we cannot refrain from noting that in outer space, where the future impact of international co-operation could be very promising, we are experiencing growing militarization that in a short time could deteriorate into an arms race which, in a different environment, would revive phases of confrontation among Powers that we are currently striving to overcome.

Faced with this paradox, it is fair to ask: what justification is there for the development of an arms race in outer space? We have been told in this forum that arms control and disarmament are not ends in themselves but merely means to achieve a more important objective, that of enhancing security - international security, that is; and that in that context military activities in space have a stabilizing function and are vital components of deterrence and strategic stability. My delegation can only accept this reasoning if it involves identifying military activities in space with verification functions from outer space. But we believe that this reasoning breaks down totally when we introduce an element that destabilizes the strategic balance, such as one Power's control of arms technology which could make the capability of the other Power inoperative or limit it significantly. Indeed, I do not think it is fanciful to say that some politically radical circles in the Powers might come to believe that with effective technology which could deal with an attack by the other Power by neutralizing it from outer space and at the same time jam its satellite observation systems, there could be a winner in a nuclear war. And it is precisely views of this type, promoted by the escalation of the arms race in space, which, far from encouraging deterrence and strategic stability, generate a climate of insecurity that affects mankind as a whole.

We agree unreservedly with one of the conclusions set out in an important legal study submitted by a Latin American delegation last year, that any activity carried out in space which affects the security of a subjacent State is unlawful in accordance with article 1, paragraph 1 of the 1967 outer space Treaty. This is so because the Treaty clearly states that the use of outer space shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of development, and that such use shall be the province of all mankind. Hence, we are speaking here of a legally binding obligation that has been subscribed to by more than 110 States, including all the nuclear-weapon States. Given this obligation it will not do to argue that it was imposed by a majority or that an appeal is being made to feelings and not to reality. It is necessary to accept and carry out what has been voluntarily agreed by practically all our countries.

As was very well described a few days ago by the representative of Mexico, the concern of the United Nations with regard to the situation in outer space began in 1957 with the inclusion of the item entitled "Question of the peaceful use of outer space" in the General Assembly's agenda. Ten years later the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies was open for signature. When that Treaty was negotiated, the possibility that space-based anti-satellite weapons or defence systems could be developed was not foreseen. In fact, the Treaty is a response to the challenges that space technology created in the 1960s. Unfortunately, the Treaty has become somewhat limited for the level of development of modern

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(Mr. Gutiérrez, Peru)

weapons. It is for that reason that last year my delegation submitted a contribution that is designed to update the level of commitment laid down in article IV of the Treaty and bring it into line with present requirements. We consider that that proposal is still valid.

Under the first paragraph of article IV, States parties to the Treaty undertake not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, and not to station such weapons in outer space in any other manner. The problem posed by the scope of this paragraph of article IV is that in expressly prohibiting the placing of a given type of weapon in orbit, it conversely permits the stationing of other types of weapon - a legal loophole exploited by the Powers to develop a new generation of weapons that can be placed in outer space. In order to make up for this shortcoming in the 1967 Treaty temporarily, my delegation believes that it might be useful to consider replacing the first paragraph of article IV by the following text:

"States Parties to the Treaty undertake not to place in orbit around the Earth any objects carrying any type of weapon, install such weapons on celestial bodies or station such weapons in outer space in any other manner".

We believe that this contribution could temporarily help prevent the development of an arms race in outer space, while we await the political momentum that would allow the substantive negotiation of a comprehensive agreement to prevent an arms race in space, which has been requested of us by the United Nations General Assembly.

Over the five years of deliberations we have accumulated a large number of proposals and ideas which, as my delegation has said, we think are possible, desirable and verifiable. We believe that if the Ad hoc Committee, under the wise guidance of Ambassador Shannon, manages to establish a programme of work this year that accommodates substantively and comprehensively the concerns and interests of all the countries participating in the Conference on Disarmament, we will be laying the foundations to enable this forum to live up to the international community's expectations of us in the field of disarmament.

More than 20 years ago, on 20 July 1969, man reached the Moon. On that momentous occasion, the representatives of the human race left a clear and bold message: "Here men from the planet Earth first set foot upon the Moon. We came in peace for all mankind". We hope that this commitment to peace will be answered with fruitful results in this Conference.

Mr. RASAPUTRAM (Sri Lanka)

The prevention of an arms race in outer space is another priority item on the CD's agenda. We believe that this is another area of multilateral endeavour which could benefit from the existing "psychosphere" that is promising and conducive. My delegation hopes to revert to this item in more detail at a later stage. We are pleased that the Ad hoc Committee on this subject has been established under the able chairmanship of Ambassador Shannon of Canada. However we had expected improvements to its mandate commensurate with constructive work that is possible. Outer space issues, particularly preventive measures against arms competition in that environment, have assumed greater importance as the use of outer space has become a truly multinational endeavour. Given the investments that continue to be made by an increasing number of countries in the use of outer space and its economic and security implications for all countries of the world, the need to keep outer space for the benefit of mankind remains a matter of urgency. Over three years, the Ad hoc Committee has accumulated a substantial amount of political, legal and technical expertise on the subject. We should now guide its work towards more focused consideration of common elements which could be further developed in terms of the Ad hoc Committee's mandate. Regrettably however the Committee has had a tendency to engage in cyclical debates in which a replay of positions has overwhelmed possible efforts to identify common ground. For too long, the Committee has debated merits and demerits of different segments of its work programme of past years. This we think is unnecessary and unproductive. This is all the more regrettable since it would have been possible for the Ad hoc Committee to focus on elements of common interest without prejudice to the position of any delegation with regard to an eventual agreement or agreements that could be reached. My delegation has long supported the formation of an expert group to help move this process of delineation forward. Irrespective of the form this expert contribution may

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take, we look forward to the new ideas of the Chairman of the Ad hoc Committee on this subject so that identification of common elements can be done in a way acceptable to all delegations.

Mr. BENHIMA (Morocco)

The use of outer space for exclusively peaceful purposes remains one of the dearest wishes of the international community. Our Conference, as an international disarmament negotiating body, has the task of drafting legal rules to safeguard this common heritage of mankind from the arms race. We are bound to note that the Ad hoc Committee set up six years ago for that purpose has not yet met the hopes placed in it. The procedural approach embarked on by the Conference through the setting up of an Ad hoc Committee on this item in 1985 has not achieved its final aim of drawing up an international agreement intended to prevent an arms race in space, in accordance with paragraph 80 of the Final Document of the first special session of the General Assembly devoted to disarmament. It is worth recalling that this document, as well as the numerous relevant resolutions of the United Nations General Assembly, urge the adoption of new measures and the commencement of appropriate international negotiations to prevent an arms race in outer space. The need, not to say the necessity, for codification and negotiating work of this kind was clearly recognized in the last report of the Ad hoc Committee on space. Its conclusions expressly affirmed that the legal régime applicable to space did not in itself guarantee the prevention of an arms race in that environment, which is why it was important to consolidate and strengthen the régime and enhance its effectiveness. If these observations enjoyed unanimous support in the Committee's report, desirable remedies should also have been agreed unanimously, in particular through the strengthening of the mandate of the Committee in question to enable it to negotiate measures to correct the shortcomings found in the legal régime for space. This is why, much as it welcomes the re-establishment of the Ad hoc Committee on space, my delegation, like all the members of the group of non-aligned and neutral countries, still regrets the absence of a consensus on giving this Committee a negotiating mandate in accordance with General Assembly resolution 44/112. Voicing this regret, however, cannot prevent us from hoping that under the chairmanship of Ambassador Shannon of Canada, whom we congratulate and wish every success, the Ad hoc Committee will finally complete its mandate to examine and identify issues relevant to the prevention of an arms race in space. We have high hopes that this exercise will be completed so as to start the Ad hoc Committee on a negotiating process as from its next session.

Ms. SINEGIORGIS (Ethiopia)

As the month is coming to a close and being among the last speakers, it gives me particular pleasure not only to congratulate you on taking up the presidency but also to acknowledge the able and effective leadership that you have demonstrated during your presidency. We are happy to note, in particular, that as a result of your diligence and diplomatic skill the initiative you took has led to fruitful consultations with a view to informal plenary meetings on items 2 and 3 of our agenda, which without any doubt are of primary concern to all of us. We believe that this is a first step in the right direction, and we hope it will lead to effective multilateral negotiations on the issues in question. I might also add that the early establishment of the Ad hoc Committee on item 5 - Prevention of an arms race in outer space - is yet another worthwhile achievement.

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Mr. GARCIA MORITAN (Argentina)

On this occasion I wish to refer to one of the problems which, as we see it is of increasing importance on the agenda of the Conference on Disarmament: the prevention of an arms race in outer space. When joining this body a few weeks ago I had an opportunity to convey to the delegations present here a message from President Menem in which he referred expressly to the space issue. There are specific reasons for this, some of whose characteristics it is my intention to deal with in this statement.

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It has become customary to acknowledge the undeniable importance for space to the international community. Hence, I shall not dwell on the many different activities, including military activities, that are carried out by States in space. I do believe it important, however, to reiterate that the international situation at the end of this century as far as space is concerned is different from that of the 1960s and 1970s, which saw the most spectacular achievements in the technology race in space and, in parallel, the development of a body of rules to govern the peaceful use of space. Today we see that there are several countries besides those traditionally considered as space Powers that are acquiring the technologies necessary to gain access to space either directly or by placing satellites in orbit, in addition to the now almost universal use and commercialization of information obtained from outer space. Considered from the perspective of our Conference, these factors give a sense of reality and focus to our efforts. These factors do not merely reflect the existence of a series of general principles on the use of outer space for the benefit of the whole of mankind, but arise out of the concrete and tangible presence of an ever-increasing number of States in space. This of course creates possibilities and prospects which are positive, and at the same time raises important questions, especially from a perspective of global strategy and security.

A very superficial analysis shows the observer that in questions concerned with arms limitation in space, notions of exclusivity and partiality still prevail. When we speak of exclusivity, we refer to the fact that there is obvious reluctance to move forward in the elaboration of multilateral rules that would make the space environment safer and more predictable. What is even more serious is that so far as space is concerned we do not even have the apparently encouraging prospects that apply to terrestrial disarmament. In other words, the absence of a consensus on the need to complete and refine the legal régime applicable to space should be viewed together with the fact that at the bilateral level these agreements seem to come up against serious and thus far unresolved divergences. The ABM Treaty on the prohibition of anti-ballistic systems is a case in point that I need not dwell on further, except perhaps to say that this important bilateral instrument is at present resting on extremely precarious foundations. The two largest military Powers,

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meanwhile, are forging ahead with strategic defence programmes about whose characteristics and definitions little is known. As an almost ironic feature we are even hearing some of these programmes being justified on the grounds of alleged threats from developing countries.

Without wishing to become involved in arguments about the content of such statements, we believe that it would be regrettable to waste the opportunity to make concrete and effective progress in preventing an arms race in space, at a time when the international situation appears particularly propitious. Nevertheless, my delegation believes that there is a need for an open and balanced dialogue on the subject, and is of the view that this is particularly appropriate now in that the voicing of reservations and judgements about potential threats to global security must be viewed together with more important elements, with more direct and negative consequences which have to do with concrete restrictions on international co-operation in the field of aerospace technology - a mistaken approach already tried out some years ago in the area of nuclear technology, and one which today is obviously at variance with the atmosphere of confidence and mutual trust prevailing in international relations.

Turning now to the work of the Ad hoc Committee, I believe we all agree here that the work done thus far by this subsidiary body of the Conference has been useful. Nevertheless, when the importance and the nature of the subjects before it are analysed in detail, this useful work proves extremely limited in scope. Thus far, we have had a constructive discussion on general questions relating to the prevention of an arms race in space. This has given all of us quite a good idea of what priorities are selected by States when analysing the space issue from a security standpoint. We have examined the legal régime applicable to space, and we have reached the conclusion that on its own it is not sufficient to prevent the possible extension of the arms race to space.

Lastly, we have before us quite a large number of proposals on concrete measures that could be the subject of multilateral negotiations. In the view of our delegation, the way is clear now to take a qualitative step forward in the work of the Committee. The consideration of issues relevant to the prevention of an arms race in outer space, which was an item on the previous agenda, allowed an exchange of views that was essential for determining the general framework of the debate, when dealing with questions such as the relationship between multilateral and bilateral negotiations in this field, the magnitude and lawfulness of military uses of space, the scope of peaceful uses of space, the characteristics of current space programmes and many other matters. My delegation believes that in the light of the discussions that have taken place on this item of the Committee's traditional programme of work, and without prejudice to our continuing this collective analysis, it is now high time for us to recognize the limits of the exercise. These limits are obvious in so far as, in the continuing absence of a progressive structural framework which would enable us to organize and direct the negotiations systematically, a generic debate on such a vast subject can no doubt be useful, but has now fulfilled its original purpose. Progress in space technology gives this subject its own almost unique dynamic, and makes any generic discussion of these characteristics tend inevitably towards

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irrelevance, unless they are oriented within the framework of a "rolling text". Otherwise the work of the Conference on Disarmament will not rise above the level of an exchange of views more befitting a deliberative body than one with the characteristics of the CD.

As regards the examination of existing agreements relevant to outer space, another item in the traditional programme of work, my delegation proceeds from the premise recognized by the Ad hoc Committee itself that the existing régime, whatever its intrinsic value, does not per se guarantee the prevention of a military race in outer space. In this area too it is our view that discussions must reflect a qualitative change, moving beyond the repetition of positions well known to all, which, far from helping to find a common area of understanding, deepens the differences of interpretation that always arise in the analysis and exposition of a body of rules in any area of human activities subject to legal norms. As far as my delegation is concerned, to say that the existing legal régime is complete, perfect and sufficient is just as incorrect as to say that in this area we are moving in a total juridical vacuum. Perhaps it would not be superfluous if, before becoming immersed in intricate arguments on the scope of the existing rules, we were to recall that the analysis of the legal régime in the context of the Conference on Disarmament has a very specific framework and meaning, as this body in the final analysis is called upon to negotiate agreements to prevent an arms race from being unleashed in this environment. The Conference on Disarmament is first and foremost an organ with the task of negotiating agreements, not interpreting those that already exist. In other words, any analysis of existing rules must be clearly action-oriented, always bearing in mind that the object of the exercise is to identify gaps and define areas that require the elaboration of additional rules.

As to existing proposals and future initiatives, it is logical that the greatest expectations should be centred on this point. They reflect the thinking that delegations and groups have been devoting to the various ways in which States could seek and find acceptable formulae that would reconcile the activities of each with the common objective of providing a predictable and secure framework for an environment into which man has launched more than 3,500 objects. The Committee, especially in recent sessions, has made progress that we have no hesitation in terming qualitative. The fertile area of confidence-building measures in space is progressively gaining ground in the considerations and proposals coming from many delegations belonging to various groups in the Conference. This is a sure sign of the emergence of a framework of consensus which should be given meaningful content.

In our opinion, we already have sufficient critical mass to permit a more systematic approach to the various proposals that have been submitted to the Committee to date in order to build a framework of confidence and predictability in space. The task will doubtless be complex, but we believe that the time has come to move forward resolutely towards the devising of a régime which, at the risk of appearing simplistic, we could call the Helsinki-Stockholm of space. The major difference, and the major challenge facing us, is that in this instance and in view of the subject and scope of the negotiations, the process will not be confined to the 35 States that carried out this successful East-West negotiating process, but will involve

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all States members of the Conference and the remaining members of the international community which will certainly join in the efforts. We believe that initiatives such as the elaboration of a code of conduct (rules of the road), the various proposals dealing with immunity and partial protection of satellites, those relating to remote sensing and others, form a nucleus around which a body of consistent initiatives could be built that would help to make space an arena for open co-operation in peaceful uses and transparency and predictability for military uses.

Happily, it seems that any statement made in the plenary of this Conference recently must contain a tribute to the present international climate and its promising potentialities. This gives negotiators an inevitable feeling of satisfaction because of the tangible progress made and the progress which is foreshadowed in the near future. On this occasion my delegation has shunned complacency in order to call the attention of the delegations present here to subject area which is of concern to us all, which is open and which has yet to be spelled out in detail. It is the subject area of space.

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President: Mr. Emeke Ayo Azikiwe (Nigeria)

I set as a priority objective the re-establishment of the Ad hoc Committee on the Prevention of an Arms Race in Outer Space, at the earliest possible date; and the conduct of intensive consultations on agenda items 2, "Cessation of the nuclear arms race and nuclear disarmament", and 3, "Prevention of nuclear war, including all related matters". On agenda item 1, I welcomed the untiring efforts of Ambassador Donowaki of Japan, and promised to make myself available whenever necessary in order to accomplish the objective of promoting agreement on that subject. I equally drew attention to the need to expedite action on the expansion of the membership of the Conference and its improved and effective functioning.

It is against the background of the foregoing that I now intend to make a few remarks regarding my work as President of the Conference during this month. On 8 March, the Conference successfully re-established the Ad hoc Committee on the Prevention of an Arms Race in Outer Space. The Ad hoc Committee, as you are aware, is currently carrying out consultations regarding its programme of work. It is my sincere hope that, given the spirit of co-operation and mutual understanding, it will be possible for the Committee to start its work as soon as possible.

Mr. SHARMA (India):

The malaise of inaction arising out of unshakable positions has also prevented useful work on agenda item 5 - "Prevention of an arms race in outer space". Despite the fact that the Ad hoc Committee has once again been set up with a non-negotiating mandate, procedural issues like the programme of work have stalled our work in this very important field, where qualitative research on weapons systems has been undertaken with intensity. Over the past few years, we have debated this issue endlessly. Instead of getting into such a debate again, the Conference on Disarmament should work on specific proposals to prevent outer space from becoming the new frontier of the all too familiar terrestrial arms race. More than a dozen concrete proposals have been put forward by delegations. Priority should be accorded to halting the development of anti-satellite weapons, dismantling existing systems, prohibiting the introduction of new weapon systems in outer space and ensuring that the existing 1972 ABM Treaty is fully honoured and extended as required by new technological advances. The issues of verification are complex enough today. If anti-satellite weapons and other space weapons are deployed, this problem would threaten to become intractable.

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Mr. ELARABY (Egypt)

The subject of my intervention today is agenda item 5 "Prevention of an arms race in outer space". Since 1982 the Conference on Disarmament has had this important subject before it. In 1985, an agreement was reached on a mandate which made the establishment of a subsidiary body to deal with this subject possible. That mandate, however, fell short of our expectations. Nevertheless, we accepted such a non-negotiating mandate in the hope that, by allowing the Ad hoc Committee to work, we could generate a growing momentum

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commensurate with the well-deserved importance accorded to the item. Instead, we have witnessed throughout the last few years deliberate attempts to weaken the work of the Ad hoc Committee and prevent it from attaining any form of progress, meaningful or otherwise.

Annually, the Ad hoc Committee on the Prevention of an Arms Race in Outer Space becomes the last subsidiary body to be established by the Conference on Disarmament. Such an imbalance must be avoided, and the Ad hoc Committee should be established early in the session in order to allow a structured and candid discussion on all related matters.

Outer space is the common heritage of mankind and carries hope for future generations. Substantive and serious work must be allowed to take place in the Ad hoc Committee. General Assembly resolution 44/112 requested the Conference on Disarmament, in paragraph 7, to intensify its consideration of the question of the prevention of an arms race in outer space in all its aspects, taking into account relevant proposals and initiatives, including those presented in the Ad hoc Committee at the 1989 session of the Conference and at the forty-fourth session of the General Assembly.

It is an established fact that United Nations activities are anchored on the concept of the exploration of outer space for the benefit and in the interest of all States. In other words the concept of declaring outer space as the common heritage of mankind, and not subject to national appropriation, has been universally accepted since 1967. It is also conventional wisdom that the common interest of all mankind requires that the progress in the exploration and use of outer space be confined to peaceful purposes.

The 1967 outer space Treaty, which is universally considered as the primary and most authoritative source of international law regulating State activities in outer space, remains at the heart of the legal régime governing outer space. Before any attempt at analysing some of its relevant provisions, a few brief points should be noted. First, the 1967 outer space Treaty is a by-product of 1960s space technology. We are now at the threshold of the twenty-first century. Second, the pace and volume of technological developments since its adoption has been staggering. What was considered science fiction in the 1960s has already been attained or will soon be within our reach. Third, legal norms as a general rule should not be allowed to lag far behind technology.

The article in the Treaty relevant to our present discussion is article IV, which stipulates that parties should not "place in orbit around the Earth any objects carrying nuclear weapons or any other kind of weapons of mass destruction, install such weapons on celestial bodies, or station such weapons in outer space in any other manner". The article goes on to state that "the Moon and other celestial bodies shall be used by all States Parties to the Treaty exclusively for peaceful purposes".

Here I would like to pause and present the following comments. First, article IV clearly contains a built-in limitation. Its scope does not extend to banning all types of weapons in outer space. It prohibits, inter alia, the placing, installing or stationing of nuclear weapons and other weapons of mass destruction only. Its provisions do not therefore contain a clear-cut

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injunction to ensure that outer space is used exclusively for peaceful purposes. The principle of exclusive use for peaceful purposes applies only to the Moon and other celestial bodies. The only restriction placed on States parties pertains 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. What this means is that there is 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.

A 1987 study prepared by UNIDIR accurately defined the present situation as follows:

"Different rules are established for outer space proper, on the one hand, and for the Moon and other celestial bodies, on the other. In the first case, what is involved is only a limited prohibition which, for example, does not prohibit the placing in orbit of non-nuclear ASAT or anti-missile weapons. In the second case, exclusive use for peaceful purposes entails more substantial restrictions, without necessarily going as far as total demilitarization. Because of its limited scope, the outer space Treaty left open the possibility of the introduction of weapons in space, other than nuclear weapons or other weapons of mass destruction, in particular ASAT weapons and space-based AVM systems."

From another perspective, several interpretations of the term "peaceful purposes" have been advanced. Peaceful purposes may mean "non-military" or "non-aggressive". As far as my delegation is concerned, a total ban on all non-peaceful uses of outer space should be our ultimate objective. Many delegations expressed similar views when the outer space Treaty was adopted by the General Assembly in December 1966. Egypt has consistently advocated this view.

Before concluding this point I would like to address one further aspect, namely that of offensive in contrast to defensive uses of outer space. Some States argue that defensive militarization of outer space is permissible. It is the considered view of my delegation that the provisions of the United Nations Charter and the contemporary rules of international law pertaining to outer space do not bear out this argument, for several reasons. Firstly, the Charter of the United Nations does not deal, as such, with the definition of what is defensive or offensive. The Charter prohibits the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes and principles of the United Nations. Secondly, the Charter recognizes the right of legitimate self-defence if an armed attack occurs, a fact also endorsed by rules of customary international law. Thirdly, the major difference between outer space and terrestrial space emanates from the special nature of outer space as the common heritage of mankind. A State has an inalienable sovereign right to use its territory for military purposes in accordance with the relevant provisions of the United Nations Charter. Outer space, however, is not part of the territory of any State and cannot be subject to the exercise of national jurisdiction. It follows that States should refrain from militarizing what belongs to mankind as a whole.

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Even if we assume, for the sake of argument, that ambiguity surrounds the concepts of offensive versus defensive uses of outer space, this should not become a licence for States to increase military activities in outer space in a manner inconsistent with the principle of preserving space for peaceful purposes and preventing an arms race from occurring in outer space.

It is for these reasons that my delegation attaches great importance to the deliberations of, and the work conducted in, the Ad hoc Committee on the Prevention of an Arms Race in Outer Space. It is therefore essential that the Committee should enter into substantive discussions on ways and means of preventing an arms race in outer space by elaborating on the existing proposals and future initiatives, with a view to arriving at concrete recommendations. The procedural wrangle that delays our work every year should not be allowed to continue.

Canada has always played a most constructive role on outer space matters, and my delegation would like to assure Ambassador Shannon of Canada, Chairman of the Ad hoc Committee on the Prevention of an Arms Race in Outer Space, of our full co-operation and wish him success in his endeavours.

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President: Mr. Ahmad Kamal (Pakistan)

The Conference continues today, in accordance with its programme of work, further consideration of outstanding matters. As usual, in accordance with rule 30 of its rules of procedure, any member wishing to do so may raise any subject relevant to the work of the Conference.

In that connection, I am pleased to inform the Conference that, today, the heads of the delegations of the United States of America and the Union of Soviet Socialist Republics to the bilateral negotiations on nuclear and space arms will make statements at this plenary meeting on the status of those negotiations. This is a welcome development which, I am sure, will be appreciated by all members, as this enhances the role of this Conference as the single multilateral negotiating body in the field of disarmament. I therefore extend a cordial welcome in our midst to Ambassadors Richard R. Burt and Yuri Nazarkin, as well as to Ambassador David Smith, who will also address us today.

Mr. LEDOGAR (United States of America)

Mr. President, you have already welcomed Ambassador Richard Burt, head of the United States delegation to the negotiations on nuclear and space arms, and Ambassador David Smith, chief United States negotiator for the defence and space talks. If I may, I would simply add that Ambassador Burt has pursued his distinguished career serving in a number of senior posts such as Assistant Secretary of State for European Affairs and, most recently, as United States Ambassador to the Federal Republic of Germany. He brings to his current position long and high-level experience in the field of nuclear arms control, as well as political, military and national security affairs in general. Ambassador Smith has worked with high distinction in defence and space matters for a good number of years, and comes to his current post here in Geneva from a senior-level position on the staff of the United States Senate. He is no stranger to these chambers, having served for more than two years on the United States delegation to the Conference on Disarmament during the middle 1980s.

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It is our proposal that Ambassador Burt bring the Conference up to date regarding developments, as we view them, in the United States-Soviet strategic arms reduction talks since his last briefing last August. He will be followed by Ambassador Smith, who will brief the Conference on the current status of the defence and space negotiations. The United States delegation to the Conference on Disarmament is pleased to be able to offer these briefings as a part of our continuing efforts to keep the Conference abreast of progress in these important bilateral arms control discussions.

Thank you, Mr. President. With your permission, I will turn the floor over to Ambassador Burt.

Mr. BURT (United States of America): I would like to thank Ambassador Ledogar for his warm introduction. I have known Steve for a long time. He is experienced and extremely capable, and the United States is proud to have him lead our delegation here at the CD. Indeed, his appointment to this important post was a statement of our high regard for this institution. I would also like to thank you, Mr. President, for your kind words and for the opportunity to brief the Conference on Disarmament. I wish you the greatest success during your tenure as CD President.

Once again, I am pleased to be speaking to the members of the Conference on Disarmament on the status of the negotiations on nuclear and space arms in Geneva. As Steve Ledogar pointed out, Ambassador David Smith, the chief United States negotiator for the defence and space talks, is with me and will discuss those negotiations in a few moments.

Mr. SMITH (United States of America): Mr. President, I would first like to thank you for the kind words of welcome which you addressed to me, and also thank Ambassador Ledogar for his kind words of welcome. It is indeed a pleasure to be back here in the CD - I spent a number of years here and it is good to be back in a familiar surrounding with, in fact, some familiar faces. So I regard it not only as a privilege but also a great pleasure to be here with you today.

I appreciate this opportunity to share with the Conference on Disarmament our perspectives on the defence and space negotiations. My predecessor, Ambassador Cooper, spoke with you last August. Since then several positive developments have occurred, although key areas of disagreement remain.

Throughout the five-year history of the defence and space talks the United States has had a consistent objective. We seek to facilitate a co-operative transition to a more stable deterrence which relies increasingly on non-nuclear defences against strategic ballistic missiles, should they prove feasible. Today's strategic balance relies almost exclusively on nuclear offensive weapons. Advances in non-nuclear technologies now make it likely that greater reliance on advanced defences can be combined with stabilizing reductions in strategic offences to reduce further the risk of war.

To achieve these goals, the United States has a forward-looking approach in the defence and space talks. We seek to assure full testing rights for advanced defensive technologies, as allowed in the 1972 anti-ballistic missile, or ABM Treaty. We seek to free space-based ABM radars and their substitutes from outdated ABM Treaty limits. United States proposals would require serious and thorough discussions with the Soviet Union on specific measures for a co-operative transition prior to either party's future deployment of advanced defences beyond current ABM Treaty limits. United States proposals would also assure deployment rights after those talks. Finally, the United States seeks, through predictability - that is, confidence-building - measures, to avert future technological surprises by encouraging greater openness in both sides' activities in the field of strategic ballistic missile defence.

The centrepiece of the United States approach is our proposed defence and space treaty, aimed at facilitating a co-operative transition. The United States draft, updated last December, retains key understandings reached at the 1987 Washington summit and takes into account the outcome of the September 1989 Wyoming meeting of Secretary Baker and Foreign Minister Shevardnadze. At that session the Soviet Union dropped its demand for agreement on a period of non-withdrawal from the ABM Treaty. The Soviet Union also dropped its linkage between signature and implementation of a START treaty and reaching a new agreement on defence and space. The United States welcomed this step.

The United States draft treaty provides for procedures whereby either party may declare its intent to deploy strategic defences by giving notice and proposing specific measures for implementing a co-operative transition. The parties would be required to conduct three years of intensive discussions of

(Mr. Smith, United States)

the proposed specific measures and the implications for strategic stability. Subsequently, unless agreed otherwise, if a party decided to commence deployments beyond those allowed by the ABM Treaty, it would have to give a further six months' notice.

This proposed mechanism offers a more stable path for deploying advanced defences than the current alternative, which is to exercise the supreme interest withdrawal provision of the ABM Treaty. The ABM Treaty permits a party to withdraw and deploy after only six months' notice. Our proposed new mechanism would help ensure a meaningful and timely dialogue on how to achieve a stable, co-operative transition.

The revised United States draft treaty also reflects the full rights of the parties under the ABM Treaty to develop and test advanced space-based ABM systems and components. To build confidence and prevent misperceptions about such testing, the United States offered a Space Testing Assurance in October 1988. It assures the Soviet Union that United States space-based ABM testing which is permitted by the ABM Treaty could not constitute a prohibited deployment of defences. The United States pledged that only from a limited number of ABM test satellites would it conduct testing of a component of an ABM system based on other physical principles and capable of substituting for an ABM interceptor missile. Such testing would be to counter a strategic ballistic missile or its elements in flight trajectory. The number of United States ABM test satellites in orbit simultaneously will not exceed a number well short of that associated with any realistic deployed capability. To build confidence further, the United States has proposed as a predictability measure notifications for launches, tests, changes of orbits, and deorbits of ABM test satellites.

The United States has also proposed that both sides be permitted to develop, test, or deploy space-based ABM radars and their substitutes without restriction. This would avoid future definitional and verification problems likely to arise because of advancing space-based technology, and it would encourage the evolution of stabilizing space-based sensors.

Another major concept in the United States draft treaty is ensuring predictability in the development of the United States-Soviet strategic relationship in order to reduce the risk of nuclear war. This objective was agreed at the 1987 Washington summit. In 1988 the United States proposed predictability measures to implement this objective. These measures include annual exchanges of programmatic data, meetings of experts, briefings, visits to laboratories, and observations of tests in the field of strategic ballistic missile defence. These measures would be carried out on a voluntary, reciprocal, and comparable basis. Their purpose is to create a better understanding of each side's ballistic missile defence activities as early as the research stage - years before the appearance of advanced defences in the field.

At the Wyoming ministerial, Secretary of State Baker began an effort to see whether the areas of agreement on predictability measures could be expanded to become a point of mutual advantage. To stimulate our Soviet colleagues' understanding of the United States predictability measures for

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(Mr. Smith, United States)

"visits to laboratories", Secretary Baker offered a first-hand, practical demonstration. He invited a group of Soviet experts to visit two United States laboratories conducting SDI research. The visit took place last December and was very successful. My friend Ambassador Yuri Nazarkin, who led the group, described the visit as a useful confidence-building measure. The Soviet experts received briefings, saw hardware first-hand, and had an opportunity to ask numerous questions of United States scientists conducting the research. The visit was designed both to foster transparency and to stimulate the negotiations on predictability measures. Subsequent to the visit, we were pleased when the Soviet Union accepted the concept of visits to laboratories as a predictability measure.

At the meeting between Secretary Baker and Foreign Minister Shevardnadze in Washington earlier this month, the United States proposed that the two sides agree on predictability measures in the form of a free-standing agreement - not linked to the ABM Treaty. The United States draft agreement calls on the parties to implement the predictability measures I have just outlined. To illustrate how such an agreement might work and to inform our negotiations, last month in Geneva the United States proposed reciprocal pilot implementation of the United States predictability measures for a single project on each side. The United States chose as its project the Infra-red Background Signature Survey. We have asked the Soviet Union to select a Soviet project for pilot implementation. The United States idea is that the sides should conduct a "try-out" before implementing the free-standing predictability agreement. In this respect the initiative is similar to "try-outs" in other negotiations - the joint verification experiment in the United States-Soviet nuclear testing talks, the verification and stability measures in the START negotiations, and the bilateral data exchange and verification experiment in the United States-Soviet chemical weapons bilateral discussions. There has been recent and important progress on predictability measures. The sides agree that they should expand and strengthen them.

On the remaining issues in our negotiations, much remains to be done to achieve a defence and space treaty that provides for greater stability in the years ahead as new technologies open the way for reducing the threat posed by ballistic missiles. Attaining this goal would contribute to greater security for the entire international community, and be the first co-operative transition in the history of United States-Soviet strategic relations.

Having spoken about our diplomatic efforts to achieve a co-operative transition to greater reliance on strategic ballistic missile defences, I thought it would be useful to discuss briefly the United States commitment to such defences and the contributions they could make. On 7 February, at the Lawrence Livermore National Laboratory, President Bush stated: "In the 1990s, strategic defence makes much more sense than ever before". He added later that day in San Francisco: "Let's be clear: this purely defensive concept doesn't threaten a single person anywhere in the world. God forbid, if it ever had to be used, it would be used against missiles, not against people".

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(Mr. Smith, United States)

The President's emphasis on the value of defences is best understood in terms of how they can contribute to international security for the balance of this century and into the next. There are four main reasons why effective defences can bring about a safer world. First, preventing nuclear war must remain a fundamental goal. Survivable and effective strategic defences would strengthen deterrence and reduce the risk of war by significantly complicating the planning and execution of a first strike with strategic offensive forces. Second, as the United States and the Soviet Union reduce substantially their strategic offensive arms, advanced defences can play a growing role in insuring against the consequences of potential abrogation, break-out and cheating in connection with such reductions. Third, new threats are emerging against which effective non-nuclear defences can provide substantial protection. As more countries develop ballistic missiles, along with chemical, biological, and nuclear weapons, threats to the international community will increase. Fourth, effective defences can provide protection against accidental or unauthorized launches of ballistic missiles. If such a catastrophic event were ever to occur, the value of defences in human lives saved would be incalculable. Taking into account these purposes and their relevance now, the United States is determined to preserve the option to develop and deploy effective, advanced, defences when they are ready, at a measured pace and in a co-operative way. This is our goal in the defence and space talks.

It has been an honour to appear before the Conference on Disarmament today. I wish you the best for a successful conclusion of the spring session, and I hope to have the opportunity to address this body again in the future.

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Mr. BATSANOV (Union of Soviet Socialist Republics)

The Conference has just heard statements from the distinguished Ambassadors Burt and Smith, who described the state of affairs at the bilateral Soviet-American talks on nuclear and space arms. I should now like to invite Ambassador Nazarkin, the head of the USSR delegation at the nuclear and space talks, to take the floor to brief you on this matter. Ambassador Nazarkin is well known to most of the members of the Conference because he headed the delegation of the USSR at the Conference for two years until the end of April last year. Before that Ambassador Nazarkin headed the department dealing with the peaceful use of nuclear energy and space in the Ministry of Foreign Affairs in Moscow. For many years he has been actively involved with disarmament issues, above all in the multilateral field, both in New York and in Geneva. So with your permission, Mr. President, I shall hand over to Ambassador Nazarkin.

Mr. NAZARKIN (Union of Soviet Socialist Republics)

I now turn to the status of the NST talks. The problem of ABMs and space occupies an important place at the talks. Our position is based on the existence of an objective interrelationship between strategic offensive and defensive arms. The point is that the establishment of large-scale ABM defensive systems, particularly space-based systems, can inevitably entail a qualitative and a quantitative build-up in strategic offensive arms. The existence of such an objective interlinkage was recognized by the USSR and the United States during their negotiations on the ABM Treaty in 1972. The idea was also taken into account when the mandate of the current nuclear and space talks was being worked out. The Soviet Union favours the preservation of the ABM Treaty and the strengthening of its régime. Compliance with the ABM Treaty was one of the most contentious issues at the talks. Until recently the sides' differences of approach on this issue were blocking the way towards the START treaty. At the meeting between the Minister for Foreign Affairs of the USSR and the United States Secretary of State in Wyoming last September, the Soviet side proposed a new approach that opened the way to completion of the START treaty. The Soviet Union expressed its preparedness to sign and ratify the START treaty even should there be no agreement on the ABM problem between the sides in time for the completion of the treaty, but the sides would have to continue to observe the ABM Treaty as signed in 1972. That approach was reaffirmed at the subsequent Moscow and Washington meetings of foreign ministers. We believe that there should be an understanding that the withdrawal of one of the parties from the ABM Treaty, or its violation, would give the other party the right to withdraw from the START treaty. At the same time, in order to preclude any further disputes on the meaning of compliance with the ABM Treaty as signed in 1972, the Soviet side proposed the negotiation of a common understanding of the boundary between permitted and prohibited activities under the ABM Treaty, and tabled a draft protocol to the ABM Treaty on this matter at the negotiations. The Soviet side also favours the elaboration at the talks of far-reaching confidence-building and predictability measures, which, in our view, should enhance the sides' confidence that obligations assumed by them under the ABM Treaty will be strictly fulfilled. We have submitted a draft agreement to this effect that provides for an array of such measures. It should be noted that despite a certain community of views on some predictability measures, the sides still have major differences of a conceptual nature.

In connection with the fact that today reference was made by Ambassador D. Smith to the American draft agreement "on measures to facilitate a co-operative transition to the deployment of future strategic ballistic missile defences", I should like to state the following. In our view the purpose of this draft in essence is to replace the ABM Treaty and to give the United States the opportunity to conduct the development and testing, under the SDI programme, of systems and components prohibited under the ABM Treaty. The draft also gives the United States the right to take a decision at any time to deploy large-scale ABM systems, including in space. The American side asserts that the deployment of such large-scale ABM systems will lead to strategic stability. We cannot go along with that. The creation and deployment of such ABM systems and the placing of weapons in outer space can lead only to the undermining of strategic stability and a reduction in the level of security, because it will inevitably lead to competition in the field of both strategic defensive arms and strategic offensive weapons - in other words, an arms race on a new and even more dangerous level. This will

(Mr. Nazarkin, USSR)

inevitably also lead to the destruction of fundamental international agreements in the area of arms control. Stability and security in our time can only be reciprocal, and are achieved not by the continuation of the arms race but rather through the consistent reduction of strategic offensive weapons together with strict limitations on strategic defensive systems, a ban on the placing of arms in outer space and the expansion of confidence-building and predictability measures.

I have already mentioned the question of confidence-building and predictability measures. However, in connection with what we have heard from Ambassador David Smith, I should like to make a few additional comments. Although both parties recognize the importance of developing and practically implementing such measures, there are fundamental differences between them regarding the purpose these measures should serve. We cannot agree with the American side's assertion that such measures should be aimed at fostering a transition to a régime which is more strictly based on defence, because the transition itself leads to the disruption of strategic stability and the undermining of security. It is our conviction that such measures can be useful where they are aimed at enhancing trust and guaranteeing the confidence of the parties in the fact that the obligations they assumed under the ABM Treaty are being complied with. It is quite obvious that without such confidence talking about predictability in the ABM field would be impossible.

I have already referred to the fact that there is a certain convergence in the parties' approaches to individual confidence-building and predictability measures. This enables us to continue conducting substantive work at the talks and to seek areas of agreement here. As for the proposals recently submitted by the American side regarding trial predictability measures, which Ambassador Smith also referred to, we are currently considering these proposals. On a preliminary basis I would like to say that, although the idea of trial measures is more and more frequently raised in the preparation of disarmament agreements, at a time when there are fundamental differences between the parties regarding the thrust of predictability measures it would be difficult to implement any trial measures in this field. First of all, we feel, it would be essential to bring the parties' positions closer together regarding the thrust of predictability measures, and then to give some thought to the actual conduct of such measures.

Ambassador Smith mentioned the visit I made in December 1989 as a member of a group of Soviet experts to the American laboratories at San Juan Capistrano and Los Alamos. We consider such visits to be a means of building confidence between the USSR and the United States. The contacts that have been established between Soviet and American experts, both in the course of visiting these two laboratories and in the course of informal discussions on individual aspects of the ABM problem, are useful. Moreover, this trip, as we saw it, reconfirmed how important it is that the ABM-related activities of the parties should not move beyond the confines of the ABM Treaty.

I now turn to the state of affairs regarding the drawing up of the START treaty. That work continues on the basis of the major parameters codified in the joint statements issued following the Washington (1987) and Moscow (1988) summits. The delegations' endeavours are now focused on negotiating joint draft texts of the treaty proper and its accompanying documents, that is,

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(Mr. Nazarkin, USSR)

a memorandum containing base-line data on Soviet and United States strategic offensive arms and protocols on procedures for conducting inspections, conversion or elimination, etc. These drafts contain fully agreed articles and provisions and partially agreed language. One of the most difficult problems being dealt with at the talks is the problem of measures to verify compliance with the future treaty on strategic offensive arms. Of course, in this connection the practice and experience acquired with the implementation of the INF Treaty are being drawn on. However, the subject and the scope of the new treaty, strategic arms, call for broader and more far-reaching measures. As you know, the START treaty provides for the limitation of strategic systems rather than their complete elimination. The two sides' remaining armaments must be subject to effective verification. This means that the verification measures that are being drawn up must be more complex and extensive. The most important component of the verification machinery is the inspection activities carried out by means of on-site inspections, both on a routine and on a "suspect site" basis, that is on challenge, as well as continuous monitoring of production facilities for strategic offensive arms. As of now the draft treaty provides for 13 instances - that is, parameters and types of activities - for conducting different kinds of inspection activities. Broad and detailed procedures for those activities have for the most part been agreed upon in a separate document, the joint draft inspection protocol. This draft sets out arrangements for the formation of inspection teams, their status, transport to the inspection sites, inspection procedures establishing a schedule for providing notification of inspections, the conveyance of inspection equipment and supplies, the provision of lodging, meals and medical assistance to the inspectors and many other issues.

In parallel with efforts to negotiate the verification articles of the treaty and the provisions on procedures in the protocol on inspections, both sides are seeking ways to make it less complex without thereby undermining the effectiveness and viability of the treaty and the confidence of the sides in compliance with future obligations. The verification mechanism under the future treaty includes the use by each side of its national technical means of verification and prohibits interference with the national technical means of verification of the other side. In particular, it involves a ban on encryption of telemetry data transmitted during flight tests from ballistic missiles. There are still some differences in the two sides' approach to "suspect site" inspections. We believe that the basis for resolving this problem exists, but further efforts are needed. As you know, during the Wyoming ministerial meeting last September the two sides signed an agreement on principles for implementing trial verification measures. Such measures are being worked out, agreed upon and implemented in particular in regard to the conduct of a series of on-site inspections. Their purpose is to ensure maximum confidence in the effectiveness and reliability of the verification mechanism being developed. Here in Geneva the Soviet and American experts have already conducted an experiment on the tagging of strategic offensive weapons. In accordance with the agreed schedule heavy bombers were shown yesterday to American experts in the Soviet Union, to be followed after some time by the nose cone of a heavy ICMB of the SS-18 type and an SLBM of the SS-N-23 type. In turn the American side will show Soviet experts the nose cone of an ICBM of the MX type, heavy bombers and a Trident-2 SLBM.

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(Mr. Nazarkin, USSR)

There is a convergence of positions on the issue of mobile ICBMs. The sides have finally agreed on imposing limitations on these systems. The remaining differences relate essentially to the methods for applying such limitations and verifying compliance. At the heart of this problem is the need to find and agree on an optimum balance between, on the one hand, preserving the survivability of mobile ICBMs, and, on the other, considerations of reliability verification of compliance with the limitations on these systems. Of course verification of mobile systems is more difficult than verification of fixed systems. However, mobility contributing to greater survivability should not be ensured at the expense of less complex verification. We are at present working to find a rational solution to this problem.

The delegations have also focused their attention on devising a formula relating to the obligation of the sides not to circumvent the future treaty. In this context it is necessary to ensure that possible channels for circumventing the treaty - that is, undermining its effectiveness - are securely blocked. It seems that we are now close to finding a solution to this problem too.

The outstanding issues also include the non-deployment of strategic offensive arms outside the national territories of the sides, and verification in this area. A schedule for the elimination of strategic offensive arms subject to reduction is being negotiated. The main concern here is to ensure a smooth process and preserve parity at all phases of reduction.

One of the main obligations that will be assumed by the sides under the future treaty is to reduce their strategic offensive arms to the agreed levels. Naturally, this obligation requires a solid guarantee that the above-mentioned reductions are genuine and irreversible. Hence, there is a need to work out appropriate procedures for conversion or elimination of systems subject to the treaty. The major requirement with respect to such procedures is that they should preclude the possibility that the systems being cut will be restored or reconverted to their prior status. It should be noted that the sides have already agreed on the bulk of these procedures. However, some problems, mainly of a technical nature, remain. They relate to the fact that certain types of armament of the USSR and the United States have their own specific features. Nevertheless, we believe that we will soon manage to resolve these problems fully.

I have broached only some issues that do not cover the entire range of work that needs to be done. It should be taken into account that when major political agreements are reached, they still have to be formalized in treaty language. Hence a great deal has yet to be accomplished at the negotiations.

I cannot fail to mention yet another difficulty which will have to be dealt with. The negotiations have now reached the final stage. Our efforts have brought us to the point where there should be clear vision of what lies behind one option or another, how it might affect national security interests and whether situations which can be used for gaining a unilateral advantage are securely precluded. The choices we have to make are hard. As far as the Soviet position is concerned, I must say that the principal considerations underlying it now are increasingly dictated by the need to ensure the

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(Mr. Nazarkin, USSR)

ratification of the future treaty by the Soviet parliament. On many occasions we have heard our American colleagues saying that their acceptance of a particular provision would complicate the ratification of the treaty. After the political reform in the Soviet Union we are now using a similar touchstone. It is a fact that we and the United States now find ourselves in the same position. The emergence of this factor has resulted in certain difficulties and complex problems. This new situation means that we must check certain provisions of the treaty again and yet again against the new political realities in our country. What is needed is a more thorough examination of all problems so as to avoid difficulties in the future. This will provide an assurance that the agreement we are working on will prove to be stable. I believe that this would meet the interests not only of the Soviet Union and the United States but also other countries. The treaty will result in more stable security at significantly lower levels of nuclear balance, and the risk of nuclear war will diminish. The treaty will become a major factor in ensuring an improvement in Soviet-American relations, and hence the entire global political climate. Finally, the treaty will become a springboard for moving towards still more radical agreements in the field of reductions in and qualitative limitations of strategic offensive arms.

There is not much time left before the summit, and even less before the meeting of Ministers for Foreign Affairs of the USSR and the United States (to be held from 16 to 19 May), by which time mutually acceptable options with respect to outstanding issues with the START treaty must be found. As far as the Soviet delegation is concerned, it has been instructed to expedite this work in every way.

Mr. SENE (Senegal)

Another problem which prompts as much concern as the others is the prevention of an arms race in space, concerning which we have just heard very detailed presentations. Naturally, in the age of satellites, space technologies and the services they offer make them fundamental media of communication, information and data transmission, important matters in the modern world today. But it is no secret that in the system for the exploitation of space, there is an inevitable dissemination of military technologies at both the strategic and the tactical level. Yet under article I of the 1967 outer space Treaty, which has been ratified by 110 States, the use of space must be carried out for the benefit and in the interests of all countries, irrespective of their degree of development, and such use is also the province of all mankind. Two years after this Treaty in 1969, man set foot on the Moon for the first time and recorded there that his mission reflected a striving for peace for all mankind. Since then, the refinement of weapons has taken great steps forward that have undoubtedly led

(Mr. Sene, Senegal)

to the emergence of new generations of armaments which can thus be placed in space - and we have had proof of this just now. In a field such as space, which holds enormous promise for the international community, particularly where scientific progress is concerned, there would be a risk that the growing militarization that can give rise to an arms race in this environment would revive another form of antagonism among Powers. There is therefore an urgent need for the international community to adopt effective measures to ensure that space does not become a new area of confrontation. From this point of view the proposals that have been put forward in the Conference on Disarmament deserve our full attention. Whether they are for strengthening the registration Convention, the verification and protection of satellites, especially those with the scientific function of remote sensing and remote observation of the weather or the Earth, in a word all the equipment designed to safeguard common security and make the international environment safer. In short, the establishment of an international space monitoring agency could undoubtedly contribute to the verification of compliance with the treaties concerning the prevention of an arms race in outer space.

Mr. CHIRILA (Romania)

Remaining within the context of nuclear disarmament, we share in the satisfaction that has been expressed of seeing the start of specific informal discussions on agenda items 2 and 3. Like many other delegations, we would have preferred the establishment of working and negotiating bodies - even ad hoc committees - on these two subjects. I take this opportunity to express our delegation's satisfaction at having heard the briefings given at this plenary meeting by the heads of the Soviet and American delegations to the bilateral negotiations on nuclear and space arms. We are sure that the substance of the statements made here by the two delegations will provide important points of reference for our informal discussions on items 2 and 3 on the Conference's agenda, and also for the work of the Ad hoc Committee on the Prevention of an Arms Race in Outer Space. We reiterate our hope that the approach of the fourth review conference of the Treaty on the Non-Proliferation of Nuclear Weapons will encourage efforts and especially results in the entire nuclear sphere, including security assurances for the non-nuclear-weapon States. The re-establishment of the Ad hoc Committee on the Prevention of an Arms Race in Outer Space in a fairly reasonable time frame has given us the legitimate hope that this year substantive work, focused above all on specific results, is possible and wished for by all. Unfortunately, the move to substantive consideration of this problem, which is ever more pressing, has been delayed.

Mr. AZAMBUJA (Brazil)

When I first came to the Conference, in August 1987, the world was still haunted by the ghosts of mistrust and rigid ideological confrontation. The winds that have brought us so many political changes since then were only beginning to blow, softly and slowly. With the INF agreement, a new era of détente between the two super-Powers was ushered in, opening wide avenues of common endeavour in the search for disarmament. Today, we can have good and well-founded hopes of seeing, in the near future, a broad agreement in the field of conventional disarmament in Europe, a 50 per cent cut in the strategic offensive nuclear weapons of the two super-Powers and a universal and non-discriminatory convention banning chemical weapons for ever.

These very welcome prospects are not enough to dispel all of our fears and misgivings. There are still too many nuclear weapons. Chemical weapons remain and have been used, and there are threats that they could be used again. The risk of an arms race in outer space has not disappeared and naval disarmament is still not on everyone's agenda. Many States seem not to be ready yet to give up resort to military force to solve their differences with other States.

Mr. SHANNON (Canada)

We have come to the end of our spring session. As our speakers' list today is a long one, I will not review in detail or place on record all of Canada's views concerning all the work of the Conference on Disarmament. We are an active Conference on Disarmament delegation. Where ad hoc committees have already been established, our views are being registered. Where we have decided that discussion on other agenda items can be more effectively advanced in informal plenary meetings, we have either expressed our own views or supported the collective views of the Western Group to which Canada belongs. Nevertheless, there are several broader concerns which I do wish to address this morning. Since you collectively have entrusted Canada with the chairmanship of the Ad hoc Committee on outer space, I shall begin with that item.

(Mr. Shannon, Canada)

I must say with feeling that my experience as Chairman has constituted quite an initiation into the complexities of multilateral disarmament diplomacy. On outer space there is both very little and a great deal to say. I say "very little" because, as we all know, we have spent the past three months trying first to establish the Ad hoc Committee on the Prevention of an Arms Race in Outer Space and then to find agreement on a programme and organization of work. Thus we have not been able to begin substantive work until now. On the other hand, there is a great deal to say, in the sense that the Committee has much valuable work to do in furtherance of its goal of preventing an arms race in outer space.

As I mentioned at the first meeting of the Ad hoc Committee on 13 March Canada has for many years shown a strong interest in, and has contributed significant resources to, its work. It is precisely because of this that I was extremely disappointed by our collective inability to get down to substantive work during this spring session. I hope that our meetings during the summer session will contribute to greater understanding of the issues involved in the prevention of an arms race in outer space and will result in greater progress towards the goal of the Committee, a goal that is enshrined in its title.

As Chairman of the Committee I indicated to it that I have a number of definite ideas as to how our work could be made more productive. I will not detail these here today, as they are well known to the Committee members. But I would like to stress that, both in my capacity as Canadian representative and in my capacity as Chairman of the Committee, I will make every effort to ensure that our work will be constructive, productive and useful. I proceed on the understanding that we must concentrate on exploring the subject before us in all its complexity and search for areas of convergence in our thinking. The differences that will emerge in the course of that exploratory process must also be pursued with a view to finding common ground.

The Conference has not yet reached consensus on giving this Committee a negotiating mandate. However, this should not prevent us from amassing the technical and other information we will need when this Committee becomes in fact entrusted with conducting multilateral negotiations on the prevention of an arms race in outer space. It is on the basis of such reasoning that Canada has regularly distributed to the Committee outer space compendiums comprising plenary statements and working papers. These have been circulated every year since 1985; they bring together documentation covering the period 1962-1988 inclusively. I am pleased to inform you that we are today distributing as a CD document the compendiums for 1989. This afternoon, we shall also be distributing in the Ad hoc Committee itself a compendium of those working papers submitted to it over the last four years. We hope that these volumes will be used by delegations to advance our work in this area.

Mr. DIETZE (German Democratic Republic)

The prevention of an arms race in outer space is another item to which my delegation accords high priority. I believe that despite continued procedural difficulties there is a further convergence of views, though not as broad as we would wish, concerning the importance of multilateral consideration of certain confidence-building measures. This, we hope, will help bring about more comprehensive agreements.

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President: Mr. Ahmad Kamal (Pakistan)

On the prevention of an arms race in outer space, it is my understanding that the procedural impediment which had slowed down the work of the Committee has been resolved. That is news which is welcome - better late than never. I hope that the Committee will be able to make progress on substantive matters during the summer session.

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Mr. KOSTOV (Bulgaria)

We also have the duty to help uphold the non-proliferation régime through, *inter alia*, the conclusion of a comprehensive nuclear test ban, a ban on all space weapons, negative security assurances to the non-nuclear-weapon States and other measures, the adoption of which will be our Conference's contribution to the general public demand and aspiration for lasting peace and common security.

Mr. GARCIA MORITAN (Argentina)

Undoubtedly, the fact that negotiations are continuing is a positive development and we welcome it. We therefore hope that, as they did during the first part of the session, the heads of the delegations involved in the negotiations on nuclear and space arms will once again give the Conference their analysis of the development and prospects of these bilateral discussions. Similarly, we trust that those delegations will maintain the indispensable tradition of providing the Conference with the official documents from the various negotiating forums.

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Mr. President, all these negotiations in parallel, including the negotiations on nuclear and space weapons and the European regional negotiations in Vienna, although apparently unrelated, do have, from a global perspective, an internal logic and coherence which must not be disregarded. This may be seen clearly in the many links existing between the various weapons systems under negotiation.

If one had to identify a single common thread between all of these negotiating processes, it could be found in the fact that all of them, regardless of their results, aim at redefining the framework of international security.

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Mr. President, nuclear disarmament, the prevention of an arms race in outer space, the banning of all nuclear-weapon tests, naval weapons, the relationship between disarmament and development, are all elements of one reality facing the international community and in dealing with it the Conference on Disarmament should be given a special role.

(...)

(Mr. Garcia Moritan, Argentina)

It appears that the positioning of nuclear weapons is undergoing a physical redistribution in which those responsible for nuclear strategy are opting for the marine environment as the place of choice for such weapons. Mr. President, the Argentine delegation had occasion to mention some of these concerns when, a little less than a year ago, the parties to the Sea-bed Treaty reviewed it for the third time.

On that occasion, our delegation ventured to draw attention to what we regard as a growing imbalance between reductions in land-based weapon systems and weapon systems based at sea or in space, now or in the future.

The results of bilateral negotiations on the subject and the difficulty of addressing such issues in multilateral forums would seem to confirm this assumption.

With respect to space-based systems, once again we are faced with a group of problems which present serious difficulties in the bilateral context and on which no progress is being made at the multilateral level. The difficulties encountered in bilateral negotiations were clearly explained to this body by distinguished Ambassadors Burt and Nazarkin. Nothing would seem to have happened since then to change the picture that they drew for us then.

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(Mr. Garcia Moritan, Argentina)

The situation, in our view, has been worsened by the evident impossibility of making any progress in the multilateral area either. I would like to dwell on this consideration because it links, as I said at the beginning of my statement, the global problems with the way in which this Conference on Disarmament reacts to the stimulus of situations that undoubtedly require concrete responses at the multilateral level.

Five years ago, the Conference on Disarmament set up a subsidiary body to deal with the prevention of an arms race in outer space. This unquestionably was in response to the common view of the members of the Conference that it was desirable to deal, in a more specific and detailed manner than was possible through discussion in plenary, with the problems associated with the militarization of space.

Since then, nothing or virtually nothing has happened in the Conference. Without wishing to reiterate ideas that I voiced when I devoted an entire statement in plenary to this matter, I would say that that is not exactly due to the fact that delegations see such inaction as connected with a comforting conclusion that space is exempt from any kind of activity that would be potentially destabilizing from a military point of view.

In my opinion, there is an unexploited area of consensus here - no doubt partial in scope but none the less significant - by way of confidence-building measures applied to space.

Unfortunately, going round in circles seems to have some faithful supporters in the Conference, and the first meetings of the Ad Hoc Committee tend to confirm that the frustrating experiences of earlier sessions have to be repeated in 1990.

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An unbiased look at our agenda may also well be in order. Subjects such as the nuclear test ban and the prevention of an arms race in outer space must be dealt with appropriately. Others, whether from the "decatalogue" or from our own collective wish, could no doubt be added. We referred a while ago to the question of naval disarmament.

(...)

The inaction of the Conference on Disarmament is certainly not in the interests of anyone - neither of the States among us which are not major military Powers nor should it be in the interests of those States which possess nuclear and chemical weapons or the capacity to use space for military purposes.

Mr. BATSANOV (Union of Soviet Socialist Republics)

The determination of the USSR and the United States, as recorded in the special joint statement signed during the Washington summit, to hold consultations without delay after treaty signature regarding future talks on nuclear and space arms and on the further strengthening of strategic stability, and to begin these negotiations at the earliest practical date, is of course of no less importance than the treaty itself. Indeed, a balanced and objective assessment of the treaty can be provided only within the broad context of the intention of the two countries, explicitly stated at the Washington summit, to take further steps towards nuclear disarmament, for which the treaty provides the necessary pre-conditions.

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Literally a few words on the prevention of an arms race in outer space. Space technology is one of the most rapidly developing fields. It is directly related to security and stability. We do not know exactly what kind of space technology we will have to deal with in 10 or 15 years' time, in particular that which may be of military significance, although we do know about the research being conducted in this field. To see that the Conference on Disarmament has been going round in circles on space issues for many years gives rise to gloomy thoughts. Like many other members of the Conference, the Soviet Union has introduced a number of proposals for radical measures to prevent an arms race in outer space - measures of a prohibitory nature aimed at preventing the development and deployment either of any space weapons at all, or of specific types of weapon, such as anti-satellite weapons. However, experience shows that such radical measures cannot become the subject of concrete negotiations in the near future. As a result, more and more delegations are opting to begin with confidence-building measures in space. We believe that this is right. The idea here is not to start negotiations just for the sake of negotiations, in order to be able to report that we are conducting negotiations on outer space, but rather to take the first steps towards establishing the basis for confidence with respect to States' space activities - if you will, to build up experience with constructive multilateral work as regards the outer space dimension of security and stability. However important the bilateral Soviet-American negotiations are, multilateral efforts are vital here, because an increasing number of States are becoming involved in space activities. Therefore, we suggest that the concept of "open outer space" should become a subject of consideration at the Conference on Disarmament. The most important measures related to the realization of the "open outer space" concept, in our view, include (a) the

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(Mr. Batsanov, USSR)

strengthening of the 1975 Convention on Registration of Objects Launched into Outer Space; (b) the elaboration of "rules of the road" or a "code of conduct"; (c) the use of space-based monitoring devices in the interest of the international community; and (d) the establishment of an international space inspectorate. France's proposal for the establishment of an international centre to process images obtained from space also deserves a positive response. These measures cannot endanger anybody's security, and we urge all States to study thoroughly the positive potential embodied in the "open outer space" concept.

President: Mr. Oswaldo de Rivero (Peru)

On behalf of the Conference and on my own behalf I wish to convey to Ambassador and Mrs. Bayart our best wishes for personal happiness and professional success in their country. Ambassador Bayart, as we are all

During the first part of this year's session, the Argentine delegation, aware, has represented his country effectively, skilfully and honourably, not to mention his well-known gifts as a linguist. During his activities in this Conference he made an outstanding contribution to our work as President, and on two occasions he also chaired the Ad hoc Committee on the Prevention of an Arms Race in Outer Space. On both occasions Ambassador Bayart, who is leaving us as deputy dean of the representatives in the Conference, served with his usual skill. We wish you every personal good fortune, Ambassador Bayart.

President: Mr. Bogumil Sujka (Poland)

Allow me now, at the beginning of the presidency of Poland for the month of July, to read a message addressed to the Conference by the Minister of Foreign Affairs of Poland, Professor Krzysztof Skubiszewski:

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Poland also attaches importance to other items on the agenda of the Conference, including the questions of a nuclear weapons test ban and the prevention of an arms race in outer space.

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Mr. MECKEL (German Democratic Republic)

The Conference on Disarmament should also help prevent an arms race in outer space. Confidence-building measures in outer space adopted on a multilateral basis would constitute an effective supplement to Soviet-American talks.

Mr. BATSANOV (Union of Soviet Socialist Republics)

The present practice is for us to cover each and every agenda item in the course of a session. During the summer sessions, in particular all the ad hoc committees that have been established function on a formal basis. How they function is another matter. Delegations, even the biggest ones, are not in a position to cover all these areas properly.

Would it not be better to vary the time for the discussion of specific issues? Or at any rate, not to deal with everything at once? Besides, reorganizing work in this way would be a factor of discipline. For example, if delegations knew that the Ad hoc Committee on Outer Space was planning to sit in, say, May-June, they would get relevant instructions ready by that time. During the rest of the time the Chairman of the Ad hoc Committee could hold consultations with delegations. In general, in any one session - especially if they are to be shorter than at present - attention should be concentrated on substantive work on not more than two or three issues. Apart from everything else, that would make possible better planning of experts' participation and, perhaps, reduce delegations expenditure in connection with the stay of experts in Geneva. Of course, in the present circumstances the Ad hoc Committee on Chemical Weapons should sit without any time-limits.

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Mr. GARCIA MORITAN (Argentina)

During the first part of this year's session, the Argentine delegation devoted a statement in plenary to agenda item 5, namely "Prevention of an arms race in outer space".

On that occasion, we shared with the delegations here some thoughts and pointed out that, in the circumstances obtaining, the evolution of the international situation and the dynamics of the Conference on Disarmament made clear the existence of undeniable potential for using confidence-building measures as a multilateral means of generating a climate of co-operation in the utilization and exploitation of outer space and perhaps also as an effective instrument for delaying or at least rendering less likely the onset of an arms race in space.

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(Mr. García Moritán, Argentina)

Drawing an analogy with the successful negotiating process under way in Vienna in the European regional context, we ventured to suggest the possibility of jointly shaping a régime which we christened the "Helsinki/Stockholm" of outer space, in an allusion to the capitals that have lent their names to two documents on confidence-building measures that in a sense constitute a model of transparency which we believe to be possible at the multilateral level.

Since that statement, the summit meeting in Washington last month and the meetings of the Warsaw Pact and the North Atlantic Treaty Organization have confirmed us in our belief that the path of transparency and mutual confidence can and should be utilized to its fullest possible extent.

In the case of outer space, this can take a number of forms. The Ad hoc Committee which is carrying out its work under the efficient and dedicated chairmanship of Canada has before it a series of specific proposals aimed at the same objective. All, in addition to their intrinsic merits, share the same approach to the agenda item, whether the proposal is to establish a code of conduct for space activities or a trajectography centre or to strengthen certain existing instruments in the present legal régime.

In that connection, my delegation wishes now to refer in some detail to a proposal which it has put forward in the Ad hoc Committee and which in fact conforms to a tradition of proposals that focused on the same point, namely the possibility of strengthening the régime established by the 1975 Convention on Registration of Objects Launched into Outer Space. In this connection, we shall be circulating document CD/1015, which will also be circulated as a working paper of the Ad hoc Committee.

As we all know, the Registration Convention arose from the need to give precise and concrete effect to the considerations already present in a very general way in the 1967 Outer Space Treaty. In a practical sense, it also supplemented the provisions of the 1972 Convention on International Liability for Damage Caused by Space Objects.

In brief, it is an instrument which, if it cannot be described as directly linked to disarmament or arms limitation, undeniably falls within the corpus of space law. From the adoption by the General Assembly of resolution 1721 A (XVI), 1884 (XVIII) and 1962 (XVIII), this body of law

(Cont'd)

(Mr. García Moritán, Argentina)

displays an internal coherence and an interrelationship in its objectives, among which the use of outer space for the benefit and in the interests of the international community figures prominently.

Thus, the Registration Convention, by providing specific information about the nature and functions of objects launched into outer space, constitutes a de facto and indispensable data base for any subsequent development designed to generate confidence in the uses of outer space.

To deny in this sense the indisputable authority of the Registration Convention as a security measure would, in my opinion, simply be to ignore the nature of the instrument or, what is worse, to fail as a State party to comply with its provisions.

The Convention was drawn up on the premise, which we now recognize as wholly valid, that full knowledge of the presence of objects in outer space would bring about the necessary pre-conditions for the peaceful, harmonious and rational use of that environment. It was thought at the time that a limited number of unilateral obligations to provide information would be sufficient to give practical effect to that idea.

Article IV of the Registration Convention established a criterion on the basis of five elements of information: name of launching State; designator or registration number of the space object; date and location of launch; basic orbital parameters (nodal period, inclination, apogee and perigee); general function of the space object. It was also stipulated that all this information should be provided, as the Convention puts it, "as soon as practicable".

In this way, the Convention provided a basic technical framework. The instrument itself constituted an undeniable achievement, since the international community at that stage lacked an organized body of information on the subject. The beginnings of a legal structure, or at least an institutionalized judicial framework for achieving it, had thus been defined.

The practical results fell far short of even the most modest hopes which had been entertained. The flow of information generated as a result of the application of the Convention proved to be scanty, incomplete and tardy, being entirely dependent upon the will of the State which was to provide it and there was no possibility of encouraging States parties to the registration régime to comply more fully with the terms of the Agreement.

Thus, the absurd situation was reached that for many years not a single military-type mission was reported, although it is fully acknowledged today that the majority of activities in outer space are directly or indirectly associated with operations of a military nature.

The adoption of a minimalist formulation and the express granting in the text of the Convention of almost total discretion through the use of the expression "as soon as practicable" in fact neutralized an instrument whose potential remains enormous.

(Cont'd)

(Mr. García Moritán, Argentina)

Specifically, the régime should be strengthened in two ways. First, in respect of the scope of the information and secondly, with regard to its timeliness.

On the matter of scope, we would refer to the terms of article IV, paragraph 1 (e). We think that States parties should specify rather more than the "general function" of the space object - a criterion which makes it possible in theory to classify a military reconnaissance satellite as, for example, a communication satellite.

It is clear that a more precise register would be useful as a basis, for example, for the subsequent formulation of régimes to protect satellites used for civilian or even selected military purposes, bearing in mind its stabilizing effect.

It should be stressed that there is no reason why a more detailed description should affect the confidential nature of a mission or its effectiveness if there is an appropriate definition of what criteria constitute a complete and satisfactory general description of the functions of a space object.

With regard to other types of additional information, we believe that the definition of common criteria could be entrusted to a group of governmental experts under the auspices of the Conference through its Ad hoc Committee.

Turning now to the timeliness with which information is provided, it is clear that the terms in which the Convention is currently couched make it possible for information to come in late or even never, which is indeed the more probable.

A political decision appropriately supported on scientific and technical level must determine what are the acceptable time-limits in order to make the Convention useful and operational. This does not imply that the information must be provided before the launch. The time-limit for notification and the scope of information could be defined in each case in accordance with the nature and functions of the object to be launched.

To sum up, my delegation considers that a strengthening of the Registration Convention would not only better adapt that instrument to its original objectives, but also make it an important additional element for confidence-building and transparency in the peaceful uses of outer space.

In addition, it would have positive effects which complement other proposals before the Conference, such as those relating to the definition of a code of conduct on space activities, which require as a basic pre-condition a reliable and systematic survey of objects launched into outer space.

Last week the Conference had the welcome opportunity to receive Ambassador Burt and Ambassador Nazarkin, who presented a detailed diagnosis and prognosis of the negotiations which the United States and the Soviet Union are conducting on nuclear and space matters.

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(Mr. García Moritán, Argentina)

On the subject of defence and outer space, we received confirmation once again that, unfortunately, in this area differences continue to be considerable and that, for the moment, no agreement is in sight. Nevertheless, from the information received it emerges clearly that perhaps the only sector in the context of the Space and Defense Talks in which there has been some progress is that of the drafting of a "Protocol on Predictability Measures" which will include an exchange of information, inspection of laboratories, etc.

The measures proposed by the United States delegation are focused on activities associated with the space programme of that country which might cause concern or mistrust on the part of the Soviet Union.

It is our belief that if on the bilateral level there is effective progress on initiatives such as that described, nothing should stand in the way of strengthening on the multilateral level an instrument like the Registration Convention, which undoubtedly supplements the criterion and the stated goals of a measure such as the one the United States has proposed in its bilateral negotiations with the Soviet Union.

If, as we believe, the criterion is the same and if the objectives coincide, everything is in place to embark on some concrete steps.

Our proposal seeks no more or less than to be a step forward.

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Mr. KOSIN (Yugoslavia)

While not ignoring any problem on the agenda, our efforts, in the immediate work of our Conference, should continue to be focused on three priority questions, namely, items 1, 4 and 5. By treating these questions in a substantial way, and by making real progress, we can strengthen the role of the Conference. We support, of course, all the efforts to enhance the effectiveness of the Conference by improving its method of work and its organization. However, our credibility will depend, first of all, on how capable we are in solving problems which are ripe for it, in clarifying that which should be clarified as soon as possible and in defining that which should be defined. In doing so we must always keep in mind that our Conference is a negotiating body, the ultimate aim of which is the dialogue on all negotiating, pre-negotiating and deliberative levels, leading to the concluding of disarmament agreements.

(...)

(Mr. Kosin, Yugoslavia)

For five years already, in its Committee, the Conference has been dealing with the problem of preventing the arms race in outer space. The results are not only modest, but it is hard to qualify them even as symbolic. We do not wish to underestimate the quality of the debate, the significance of proposals submitted, the clarification of certain problems, but neither to overlook the fact that we are lagging behind the development of space technologies and that there is an increasing number of countries capable of participating in the conquest of space. We are in fact only at the very beginning of a substantial treatment of this complex issue, while very important proposals requiring urgent consideration such as, for example, those relating to the ban of ASAT weapons, satellite immunity, etc., are going past us.

If we cannot take an essential step forward towards full negotiations, we have to do our utmost to at least orient ourselves in two ways. The first would be an elaboration of confidence-building measures, since experience has shown that there, where we cannot negotiate disarmament measures, we can undertake serious preparatory steps through enhancing confidence and security. Many ideas have already been generated in this field such as the proposal to establish "a code of conduct for space activities", for example. The second would be the strengthening of the existing, but insufficient, legal régime, which would, inter alia, lead to avoiding the development and deployment of space weapons and cover measures of verification. The Convention on Registration of Objects Launched into Outer Space, providing specific information about the nature of these objects, should be enhanced both in scope and function.

We welcome the participation of experts in the Committee's work, which raises the debate to a higher level and certainly contributes to a comprehensive understanding of this complex issue.

There are many ideas and proposals in circulation, so that the Committee can as from now embark, without exaggerated ambition, on substantive work, on those problems ripe to be multilaterally considered.

Mr. WAGENMAKERS (Netherlands)

In a sense, debating non-proliferation of nuclear weapons is not a prerogative of the States parties to the NPT alone. Through in-depth and detailed discussion of various subjects of the nuclear items on our agenda, the Conference on Disarmament might contribute to a proper understanding of the essentials of nuclear arms control and disarmament. In this context we witnessed a remarkable event only recently, that is, the participation of the American and Soviet negotiators to the Nuclear and Space Talks in an informal plenary session of the Conference on Disarmament, where their brief statements were followed by an ample exchange of questions and answers.

If one aspect emerged clearly from those discussions, it certainly was the fact that the future treaty on strategic offensive arms will effect significant reductions in strategic offensive arms, thereby increasing stability and lowering the risk of war. It will thus have an impact far beyond the direct bilateral scope of the treaty itself. We, therefore, sincerely hope that the timetable as set out by Presidents Bush and Gorbachev at their recent talks in Washington can be kept and that the signature of this treaty will be a fact by the end of 1990 or the beginning of 1991. In carrying through an important reduction of the "first strike" potential of both Parties involved, this Treaty will form an essential contribution to the creation of more strategic stability and the strengthening of international security. We welcome the fact that the United States and the USSR have also agreed to pursue new talks, after the signing of a START agreement, on further stabilizing reductions in the strategic arsenals of both countries.

Mr. BENHIMA (Morocco)

It is generally agreed that outer space is the common heritage of all humanity. There is also unanimity concerning the need to preserve it against all forms of militarization. Unfortunately, this latter principle is increasingly being breached by the sophistication of space technologies and their military applications. To mitigate the consequences that could result from such a development, my delegation emphasizes yet again the urgency of improving the current legal régime for outer space, in which there are many gaps. The Committee has already identified this question in its programme of work. Detailed thought on this matter would enable concrete proposals to be put forward in the near future.

President: Mr. Gheorghe Chirila (Romania)

I would like to begin this meeting by reading to you a message addressed to the Conference by the Minister for Foreign Affairs of Romania, His Excellency Mr. Adrian Nastase, on the occasion of Romania's assumption of the presidency for the month of August. The message reads as follows:

(...)

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At the same time, Romania attaches due importance to the other items on the agenda of the Conference, in particular those aimed at nuclear disarmament and the prevention of an arms race in outer space.

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Mr. MOREL (France)

At the time when the Conference is completing its work for this session, I would like to take as my point of departure the sweeping changes which have helped to alter the prospects for disarmament in order to present France's viewpoint on the questions which are of the most direct interest to us, namely nuclear disarmament in its various aspects and the other spheres of negotiation - outer space and radiological weapons, and, lastly, chemical weapons - before concluding with some thoughts on improving the functioning and efficiency of the Conference.

(...)

(Mr. Morel, France)

Leaving the field of nuclear matters, I now come to outer space. The turn taken this year by the debates in the Ad hoc Committee on the Prevention of an Arms Race in Outer Space, chaired efficiently by Ambassador Shannon of Canada, is altogether encouraging. Of course, we, like many others, found it regrettable that in the spring a sterile procedural debate should have delayed unduly the beginning of the substantive work. We hope, however, that lessons have been drawn from that for the future. With respect to substance, we note with interest that the Ad hoc Committee continued and developed its efforts to increase mutual understanding of the positions of its members and of the various technical or strategic aspects of the question.

The Committee heard an unprecedented number of presentations by experts from delegations from all the groups in the Conference. Those contributions have brought out a number of useful pointers for the future of our work.

The first is that, on the subject of preventing an arms race in space, one has to beware of Manichaeian simplifications and hasty constructions. Thus, before elaborating legal rules, for example on the prohibition or limitation of anti-satellite weapons, it is essential to undertake a precise analysis both of the possibilities offered by such weapons in a strategic context and of the various constraints that they are likely to encounter. This preliminary stage is indispensable for the establishment, when the time comes, of an effective, lasting régime.

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The second is that the quasi-monopoly of the two great Powers in this sphere and the inevitable links between anti-satellite systems and anti-missile systems mean that the consideration of this subject cannot be disconnected from the bilateral negotiations.

The third, and for us the most interesting point is that everyone better appreciates today the increased risks that result from the development of space activities and technological innovation for the security of satellites. This awareness is leading a growing number of delegations in the Committee to call for an approach based on increasing confidence and transparency, possibly combined with an international management instrument, such as the trajectography centre proposed by France. We welcome this and we hope that the Ad hoc Committee will be able to continue along this path and will manage to define better still the modalities for strengthening the space protection régime. For reasons of general, and not just military security, the day will come, sooner than is generally thought, when we shall see the appointment of "space traffic controllers" playing a comparable role to air traffic controllers in civil aviation now.

Mr. KRALIK (Czech and Slovak Federal Republic)

The thousand-year-old heritage of our European civilization is being enriched at the present time with new knowledge. Neither by "Europe in us" nor by "we in Europe" will we be able to exist alone in a world joined together by satellites, without widely developed friendly relationships with those nations and States which fate has decreed should live on other continents. Nevertheless, I would like to assure this international forum that as far as our relations with other States are concerned, one single criterion applies for us. It is what our "tutor of nations", Jan Amos Comenius, passed on to us: "... the wisdom and valour of nations is not expressed by the power of weapons, but by the power and strength of the entirety of useful knowledge".

Allow me to put forward, from the standpoint of this criterion, our position on those questions which deserve the closest attention and greatest effort on the part of all regions represented at this Conference. These are in particular items 1, 4 and 5. I wholeheartedly concur with the opinion of

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several other delegations that in order to make substantial progress this Conference must concentrate its efforts on a smaller number of agenda items.

(...)

(Mr. Králik, Czech and Slovak Federal Republic)

For quite a long while we have been simply marking time in the question of preventing the arms race in outer space. We have a high regard for the work of those experts who have provided the Committee with such a great amount of information, of intricate calculations, and photographs from all kinds of satellites. Certainly all this is very instructive for many, but the real results of the Committee are more or less symbolic.

Nevertheless, we believe that the Committee should keep its finger on the pulse of all space activities as they develop. This is not just for technical reasons, but from the political and negotiating standpoints. The need for a realistic assessment and solution of the real problems which exist should preoccupy not only the big space Powers. Preventing the militarization of space and transforming it for wide peaceful purposes are very general concepts. So far, conditions have not been created which would allow a complex discussion of these questions. However, we can direct ourselves toward more modest goals. One of these would be to work out a round of measures for building mutual confidence. There has been a lot of talk about this, but not very much has been done so far. Let us try to direct the efforts of our experts in this direction.

A second area could be working out a kind of data base on the launching of satellites and the collection and classification of technical data. For this purpose, it would be a good idea to establish a scientific centre whose work could be shared among scientists in different parts of the world. The more information and the more experiences and the more opportunity for comparisons, the more could be built to contribute to deeper and more widespread co-operation, putting into practice the idea that space is a value common to all humankind. At the same time, let us not forget what Aristotle said: "Everything that has already happened, can happen again". This planet could certainly not survive a chain of Chernobyls in space.

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Mr. BOTTAI (Italy)

I would now briefly turn to the question of the prevention of an arms race in outer space. It is a subject which Italy has always considered of great importance and which presents us with a problem of interrelationships between its bilateral aspects, as represented by the Soviet-American negotiations, and the growing expectations felt by the international community for involvement in the comprehension of the great events occurring beyond our planet. We acknowledge the reality in the negotiations between the two major "users" of outer space. They could facilitate greater stability and co-operation in the interests of all.

(Mr. Bottai, Italy)

We also consider very valuable all the efforts being made by the Conference on Disarmament that are aimed at strengthening the multilateral dimension as well as the specific ideas that emerge in this context. Any initiative or proposal aimed at the preservation of stability and the improvement of transparency must be taken into account. I have in mind the proposals about the improvement and standardization of terminology, the strengthening of the current legal régime, the extension of access to data, the improvement of the Convention on the registration of space objects and, more generally, the promotion of confidence-building measures.

During the month of March, the Parliamentary Association of the Western European Union organized in Rome a seminar dedicated to "observation satellites as a European instrument for disarmament verification". Ministers of Defence, representatives of the space industry and a number of experts took part in the initiative, which came to the conclusion that the necessary technical requirements for a viable regional system of verification of disarmament agreements are already available.

We also look with favour on the continuation of participation by national experts in the work of the Ad Hoc Committee seeking to allow greater in-depth knowledge and understanding by Governments of all the implications deriving from indiscriminate exploitation of outer space. We are willing to renew participation by Italian experts in that work.

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Mr. ARTEAGA (Venezuela)

The modernization of weapons - that endless competition imposed by technology and military research laboratories - includes weapons and weapons systems to be used in outer space. We understand that on this topic the START talks have so far achieved nothing definite.

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(Mr. Arteaga, Venezuela)

It is obvious that there is a danger of an arms race beginning in outer space. Hence the importance of the Ad Hoc Committee on this topic, and hence the categorical attitude of the Group of 21 in favour of negotiations on specific measures. Many proposals have been made and these constitute a good working basis.

In our view, the work done by the Ad Hoc Committee in the past five years shows the urgent need for holding negotiations on concrete measures, there being a set of proposals which have to be studied carefully to identify areas of convergence and arrive at agreements on the subject.

Accordingly, the Group of 21 has suggested ways of improving the work of the Committee in examining these proposals, by the creation of sub-groups or contact groups. Our delegation hopes that next year the Committee's work will change course and concentrate on the consideration of those proposals.

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Mr. TOWPIK (Poland)

Mr. President, in the context of these considerations, let me discuss some aspects of item 5 of our agenda.

Our aim is to prevent an arms race from spreading to outer space. Despite positive changes in international relations and intensive discussion at this Conference, we are still far from any agreement. Nevertheless, some possibilities of progress are now seen particularly in two fields:

- (a) in the field of confidence-building measures related mainly to greater openness and transparency in outer-space activities; and
- (b) in the field of expansion of practical principles for outer-space activities by the establishment of a code of conduct or "rules of the road".

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(Mr. Towpik, Poland)

As far as the first domain is concerned, it should be remembered that the concept of transparency and openness has become one of the widely accepted approaches in present arms control and disarmament negotiations. It has been firmly introduced into these negotiations as a means of promoting confidence and mutual understanding.

Let me remind you of the sets of measures already agreed within the framework of the Conference on Security and Co-operation in Europe, negotiations relating to the "open skies" proposal as well as predictability or confidence-building measures discussed in the bilateral American-Soviet outer-space talks. There is also a considerable number of proposals relating to greater openness in outer-space activities which have been submitted to this Conference. They include those which were presented by Poland last August in the Working Paper entitled "Confidence-Building Measures related to Item 5" (CD/941 and CD/OS/WP.38), and which indicate one of the possible approaches to this problem.

Proposals submitted so far suggest not only various degrees of transparency but also different modes of its implementation: on a voluntary or obligatory basis; by amending the 1975 Convention on Registration of Outer Space Objects or by a separate agreement; creating new appropriate bodies, or for example, using the services of the Secretary-General of this Conference.

In the period of radically changing attitudes towards military secrets and in the period of wide acceptance of the importance of transparency in military activities, it would be difficult to find any reason why openness and transparency should not cover outer-space activities as well.

What is more, taking into account the increasing volume of information relating to outer space offered by the United States and the Soviet Union to this Conference, as well as their bilateral discussions on some confidence-building measures, any new multilateral solution in this field would be only a further logical step that responds to the legitimate interests of the world community.

The second category of agreements which seem to meet special interests are arrangements concerning the "rules of the road". The intention here is to avoid accidental destruction or damage of satellites and to remove suspicions as to the intentions of States. Various ideas regarding the specific content of appropriate agreements have been presented and they deserve serious consideration. Such consideration should take into account not only security aspects but also the very fact that outer space is really becoming quite crowded. This year discussion in the Ad Hoc Committee on Prevention of an Arms Race in Outer Space has introduced a considerable amount of expert knowledge relating to this issue.

There is, however, still another category of measures where possibilities of agreement should be especially actively sought and where progress might have particular value. It is in the field of co-operative measures in the use of outer space, not only for civil but also for certain military purposes. In fact, outer-space activities seem to entail not only a serious risk of a new arms race but also an enormous potential for constructive co-operation.

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(Mr. Towpik, Poland)

The use of peaceful space technology has brought about many benefits for mankind and helped to meet important civilian needs, such as in telecommunications, weather forecasting, and earth-resources surveys. More co-operation in this field could offer the advantages of space systems to an increasing number of countries.

What is more important, however, is that substantial possibilities of co-operation also exist in the military field. Satellite remote-sensing technology has created the ability to observe various processes on Earth which are important from the point of view of international security. This technology can and should be put at the service of the United Nations security system. Indeed, the idea of international monitoring agencies or of independent satellite observation systems has been advanced by a number of Governments and in various forms. These include proposals inter alia by France, Canada, the USSR and Sweden. The sphere of competence of such a system could cover the monitoring of arms control arrangements, collecting information and data on sensitive areas as well as supporting United Nations peace-keeping efforts.

It would be of the utmost importance if the two most advanced outer-space Powers, in co-operation with others which expressed their interest, could inform this Conference or the United Nations that they offer the use of their outer-space systems, or some part of them, to the United Nations system of collective security. It would be another leap forward not only in the use of outer space but also in the thinking of mankind about international security.

It could become a key in a new approach to the prevention of an arms race in outer space. Such an arms race can be prevented not only by bans and prohibitions but also by international co-operation, taking into account the security interests of all States.

At the same time, such observation and monitoring arrangements, internationally created and managed, could complement and strengthen the structure of the United Nations collective security system, making its activity more efficient and the international environment more secure.

Mr. President, the main purpose of this statement was to emphasize the need for new thinking in disarmament and security issues. Without new bold ideas and fresh approaches, it would be difficult to solve many of the existing problems in our negotiations. There is a danger that orthodox views on security and traditional approaches to disarmament may impede our work and limit its results despite much more promising conditions at present.

The Cold War impoverished our thinking on international security. It did not allow the implementation in practice of the collective security mechanism provided for in the United Nations Charter. It hampered serious discussion on ambitious plans for the internationalization of atomic energy and ensuring that it would be used for peaceful purposes only (the so-called Baruch Plan). It brought instead the nuclear arms race.

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(Mr. Towpik, Poland)

Today when the Cold War seems to be over, it is time to consider all possible options for creating conditions of security. This applies in particular to outer space, which is a relatively new domain of human activity. If we do not find new approaches to this activity, then there is no reason to believe that outer space will be exempt from military competition, with all the possible consequences which we know from recent history.

International co-operation in outer space in the service of the United Nations machinery could not only prevent an arms race there but also become an important contribution to the building of an effective United Nations security system. It might consolidate the authority of the United Nations, which we need more and more.

To conclude, Mr. President, this Conference should not only be a negotiating table for disarmament measures but also a forum of reflection on the organization of international security, of which these measures will be a part.

Mr. DIETZE (German Democratic Republic)

It is owing to the initiative of many in this room and thanks to the readiness for compromise of all that we tried this year to design the architecture of a future comprehensive nuclear test-ban treaty. All groups have submitted their ideas thereon. They should constitute building components for the co-operative preparation of such an important treaty. Admittedly, the distance to be travelled along this road is still long, and this is underscored by critical debates we had on this subject. Questions are posed whether the one or other issue raised is a gambit by one or other group. Some fear that the two super-Powers would disregard the others, and so on. Here lie reasons why the Conference's work in the field of a nuclear test ban has so far been limited in scope. To surmount these obstacles is, I think, the very aim of our decision jointly taken in July this year on the establishment of an Ad hoc Committee on a Nuclear Test Ban.

This calls for confidence and this calls for the ability to recognize and make use of new developments which are going on. I trust that this will be the case. Furthermore, I trust that thereby we will be able to terminate the arms race on Earth and to prevent it in outer space.

Mr. CHADHA (India)

On item 5 of our agenda, "Prevention of an arms race in outer space", once again a number of concrete proposals have been reiterated, in a repetition of the exercise in which the Ad hoc Committee on this item has been engaged in since 1985. Our future work needs to be structured and organized in a way that enables us to undertake fully-fledged negotiations that can strengthen the international legal régime pertaining to outer space. The existing régime does impose some legal restraints on the placement of certain types of weapons in outer space. However, these restraints are neither comprehensive in scope, nor do they apply to all kinds of weapon systems. New legal instruments need to be developed which would reflect the political reality as well as technological developments. Among the proposals that have been put forward, some relate to specific aspects, such as banning ASAT weapons and providing immunity to satellites, and others adopt a comprehensive approach, such as amendment of the 1967 Outer Space Treaty or addition of a protocol to it. While supporting different proposals for negotiating concrete measures aimed at preventing an arms race in outer space, my delegation has placed particular emphasis on a comprehensive agreement which would prohibit the development of anti-satellite weapons and provide for the dismantling of all existing systems. The ABM Treaty places restrictions on the testing of weapons in an ABM mode, but permits weapons to be tested in an ASAT mode. A moratorium on the testing of the existing dedicated anti-satellite weapons needs to be formalized through multilateral negotiations. Complementary proposals have also been put forward to provide immunity to satellites,

especially those that generate opportunities for economic growth and international security. However, confidence-building measures such as "rules of the road", "keep-out zones", etc., provide only a limited immunity; full immunity can only be provided by a verifiable comprehensive ASAT ban.

Mr. SHANNON (Canada)

In my capacity as this year's Chairman of the Ad hoc Committee on the Prevention of an Arms Race in Outer Space, it gives me great pleasure to present to the Conference on Disarmament our report, which was circulated earlier as document CD/OS/CRP.7/Rev.1 of 10 August and is now before all delegations as document CD/1034 of 16 August. I understand from the secretariat that all language versions of the draft report will have been circulated within the next 24 hours, which, it is hoped, will provide enough review time to enable the draft to be adopted by plenary at our next meeting of Friday, 24 August.

Now that our work in the Ad hoc Committee for this session has come to a close, I would also like to express my sincere thanks to all those delegates and experts who contributed to our endeavours. In particular, I would like to thank the various group co-ordinators, Ambassador Arteaga and Ms. Clauwaert Gonzalez of Venezuela; Ambassador Bayart and Mr. Erendo of Mongolia, and later Ambassador Králik and Mr. Gašpar of the Czech and Slovak Federal Republic; Ambassador Hou and Mr. Zhang of China, and Ambassador Morel and Mr. Finaud of France. And a very special word of thanks and appreciation is due to the Ad hoc Committee's secretarial staff, Mr. Vladimir Bogomolov and Ms. Audrey Williamson, and to the interpreters. I thank them all.

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President: Mr. Gheorghe Chirila (Romania)

I now propose that we take up for adoption the report of the Ad hoc Committee on the Prevention of an Arms Race in Outer Space, which is contained in document CD/1034. If there is no objection, I shall take it that the Conference adopts that report.

It was so decided.

Mr. HOU (China)

This year is the first year of the decade of the 1990s. It is also the first year of the third Disarmament Decade as proclaimed by the United Nations. The 1990 session of the CW was convened against the background of momentous changes in the international situation. The international community, therefore, placed high hopes on us. They expected us to make new contributions to the endeavour of putting an end to the arms race and promoting disarmament. Today, when we are taking a sober and objective stock of the work of the CD, we must be fair and point out that enormous useful work has been done and some positive results have been achieved at the CD this year. The determination of the entire international community to safeguard the completeness and thoroughness of the goal of the convention banning all chemical weapons has made it possible to usher our negotiations into an even more important stage. The re-establishment of the Ad hoc Committee on a Nuclear Test Ban after an interregnum of seven years has given people new hope for the future. Many countries have shown greater concern over such major issues as the cessation of the nuclear arms race and the arms race in outer space, the promotion of disarmament and prevention of nuclear war. They have also advanced series of positive proposals and rational positions. Another encouraging phenomenon is that there are more and more non-member States participating or showing interest in the work of the CD. This year's consultations on the improved and effective functioning of the CD have yielded some preliminary results which constitute a good beginning for further consultations to be carried out next year from which people have reason to expect more substantive progress.

(The President)

This year has been marked by unprecedented, fundamental developments in international life, by important rethinking of political, strategic and military concepts and doctrines. As for the Conference on Disarmament, the signs of increased interest on the part of the international community have grown in number. Suffice it to recall the substantial number of representatives of Governments who have come to address us or have sent messages to the Conference.

In this context, during six months of intensive work certain steps and developments have been made in the Conference. As to the specific, immediate results that have been achieved, it must be recognized, as many people have already pointed out, that the session has been frustrating in some ways, whether as regards the negotiations on the draft convention on the prohibition of chemical weapons, or with respect to all the nuclear disarmament issues, the prevention of an arms race in outer space or other important items on the Conference's agenda.

WP

INDEX

WORKING PAPERS

THE PREVENTION OF AN ARMS RACE IN OUTER SPACE

CONFERENCE ON DISARMAMENT (CD)

1990

<u>Reference</u>	<u>Nation</u>	<u>Title</u>	<u>Date</u>
CD/959	UN Secretary- General	Letter dated 26 January 1990 from the Secretary-General of the United Nations addressed to the President of the Conference on Disarmament transmitting the resolutions and decisions on disarmament adopted by the General Assembly at its forty-fourth session [Extracts]	31.01.90
CD/976		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".	09.03.90
CD/908/ Rev.1 CD/OS/WP.29 Rev.1	Venezuela	Letter dated 22 March 1990 addressed to the Secretary-General of the Conference on Disarmament from the Permanent Mission of Venezuela transmitting a list of existing proposals on the prevention of an arms race in outer space.	27.03.90
CD/990	Canada	Letter dated 18 April 1990 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 1989 session of the Conference on Disarmament.	23.04.90

<u>Reference</u>	<u>Nation</u>	<u>Title</u>	<u>Date</u>
CD/1004	U.S.A.	Letter dated 19 June 1990 from the Representative of the United States of America addressed to the President of the Conference on Disarmament transmitting joint statements on the Treaty on Strategic Offensive Arms and on future negotiations on nuclear and space arms and further enhancing strategic stability, adopted at the United States-Soviet summit meeting in Washington on 1 June 1990.	20.06.90
CD/1015 CD/OS/WP.42	Argentina	Working Paper: Proposals for the strengthening of the regime established by the Convention on Registration of Objects Launched into Outer Space.	18.07.90
CD/1034	AHCOS	Report of the <u>Ad Hoc</u> Committee on Prevention of an Arms Race in Outer Space.	16.08.90

CONFERENCE ON DISARMAMENT

CONFERENCE
11 January 1954

Original - CONFERENCE

LATER DATED TO REPORT FROM THE EXECUTIVE COMMITTEE OF THE UNITED NATIONS
CONFERRED IN THE PARLIAMENT BY THE CONFERENCE ON DISARMAMENT TRANSMITTING THE
RESOLUTIONS AND DECISIONS OF DISARMAMENT ADOPTED BY THE GENERAL ASSEMBLY
ON 17 JANUARY 1954 AT ITS FORTY-FOURTH SESSION

These are hereby to transmit to you the texts of the resolutions
adopted by the General Assembly at its forty-fourth session, which confer
specific responsibilities to the Conference on Disarmament in 1954. The
specific provisions of these resolutions are reproduced in the Annex.

For the information of the Conference, you will also find attached the
texts of other resolutions and decisions dealing with or related to
disarmament matters, which were adopted by the General Assembly at its
forty-fourth session.

Very truly yours,
Secretary-General

CONFERENCE ON DISARMAMENT

CD/959
31 January 1990

Original: ENGLISH
(EXTRACT)

LETTER DATED 26 JANUARY 1990 FROM THE SECRETARY-GENERAL OF THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE RESOLUTIONS AND DECISIONS ON DISARMAMENT ADOPTED BY THE GENERAL ASSEMBLY AT ITS FORTY-FOURTH SESSION

I have the honour to transmit herewith the texts of the resolutions adopted by the General Assembly at its forty-fourth session, which entrust specific responsibilities to the Conference on Disarmament in 1990. The relevant provisions of those resolutions are reproduced in the Annex.

For the information of the Conference, you will also find attached the texts of other resolutions and decisions, dealing with or related to disarmament matters, which were adopted by the General Assembly at its forty-fourth 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-fourth session, the General Assembly adopted the following resolutions entrusting specific responsibilities to the Conference on Disarmament:

(...)

44/112 "Prevention of an arms race in outer space"

CD/959
page 4

(5) In resolution 44/112, 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, 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 1989 session of the Conference and at the forty-fourth session of the General Assembly; operative paragraph 8 further requests the Conference on Disarmament to re-establish an ad hoc committee an adequate mandate at the beginning of its 1990 session, with a view 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; operative paragraph 9 urges the Union of Soviet Socialist Republics and the United States of America to pursue intensively their bilateral negotiations in a constructive spirit aimed at 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; and operative paragraph 12 requests the Conference on Disarmament to report on its consideration of this subject to the General Assembly at its forty-fifth session.

In the above-mentioned resolutions 44/112, 44/116 O, 44/116 R and 44/116 T, the General Assembly requested the Secretary-General to transmit to the Conference on Disarmament all relevant documents. They are the following:

- 44/112 A/44/27, A/44/134, A/44/228, A/44/293-S/20653, A/44/295, A/44/318-S/20689, A/44/347-S/20702, A/44/386, A/44/409-S/20743, A/44/551-S/20870, A/C.1/44/L.10, A/C.1/44/L.16, A/C.1/44/L.19, A/C.1/44/L.28.
- 44/116 O A/C.1/44/L.43.
- 44/116 R A/44/27, A/44/652, A/C.1/44/L.55.
- 44/116 T A/44/27, A/44/621, A/C.1/44/L.1, A/C.1/44/L.57.

The relevant records of the consideration of the subjects covered by those resolutions transmitting documentation are contained in documents A/44/PV.4 to 31, A/44/PV.81, A/C.1/44/PV.3 to 25 and A/C.1/44/PV.32, 35, 40 and 41.

All those documents and records were distributed during the forty-fourth session of the General Assembly to all Members of the United Nations, including all members of the Conference on Disarmament.

(B) Other resolutions and decisions dealing with disarmament matters

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

(...)

44/116 B "Bilateral nuclear-arms negotiations"

(...)

44/119 G "Disarmament Week"

(...)

II. Resolutions relating to disarmament matters

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

(...)

44/46 "International co-operation in the peaceful uses of outer space"



General Assembly

Distr.
GENERAL

A/RES/44/112
19 January 1990

Forty-fourth session
Agenda item 58

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/44/780)]

44/112. Prevention of an arms race in outer space

The General Assembly,

Inspired by the great prospects opening up before mankind as a result of man's entry into outer space,

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

Reaffirming that 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,

Reaffirming also 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,

Recalling the obligation of all States, in accordance with the Charter of the United Nations, to refrain from the threat or use of force, including in their space activities,

Recalling also that the States parties to 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/ have undertaken, in article III, to carry on

1/ Resolution 2222 (XXI), annex.

activities in the exploration and use of outer space, including the Moon and other celestial bodies, in accordance with international law and the Charter of the United Nations, in the interests of maintaining international peace and security and promoting international co-operation and understanding,

Reaffirming, in particular, article IV of the above-mentioned Treaty, which stipulates that States parties to the Treaty undertake not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies or station such weapons in outer space in any other manner,

Reaffirming also 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,

Noting its resolutions 36/97 C and 36/99 of 9 December 1981, as well as resolutions 37/83 of 9 December 1982, 37/99 D of 13 December 1982, 38/70 of 15 December 1983, 39/59 of 12 December 1984, 40/87 of 12 December 1985, 41/53 of 3 December 1986, 42/33 of 30 November 1987 and 43/70 of 7 December 1988 and the relevant paragraphs of the Declaration adopted by the Ninth Conference of Heads of State or Government of the Movement of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, 3/

Recognizing the importance and urgency of preventing an arms race in outer space and the readiness of all States to contribute to that common objective,

Gravely concerned at the danger posed to all mankind by an arms race in outer space and, in particular, by developments that could further undermine international peace and security and retard the pursuit of general and complete disarmament,

Encouraged by the widespread interest expressed by Member States in the course of negotiations on and following the adoption of the above-mentioned Treaty in ensuring that the exploration and use of outer space should be for peaceful purposes, and taking note of proposals submitted to the General Assembly at its tenth special session and at its regular sessions and to the Conference on Disarmament,

Noting the grave concern expressed by the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space at the extension of an arms race

2/ Resolution S-10/2.

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

into outer space and the recommendations 4/ made to the competent organs of the United Nations, in particular the General Assembly, and also to the Committee on Disarmament, 5/

Noting also that in 1989 the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, taking into account its previous efforts since its establishment, undertook 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, 6/ and that this contributed to a better understanding of a number of problems and to a clearer perception of the various positions,

Convinced that additional 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,

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

Emphasizing also the necessity of maintaining the effectiveness of relevant existing treaties, and in this context reaffirming the vital importance of a strict compliance with the Treaty on the Limitation of Anti-Ballistic Missile Systems, 7/

Recognizing that bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America could facilitate the multilateral negotiations for the prevention of an arms race in outer space in accordance with paragraph 27 of the Final Document of the Tenth Special Session of the General Assembly,

Noting the importance in this context of bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America that have continued since 1985, including at their summit meetings in Washington and Moscow on a complex of questions concerning space and nuclear arms,

Hopeful that concrete results would emerge from these negotiations as soon as possible,

4/ See Report of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 9-21 August 1982 (A/CONF.101/10 and Corr.1 and 2), para. 426.

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

6/ See Official Records of the General Assembly, Forty-fourth Session, Supplement No. 27 (A/44/27), para. 90.

7/ United Nations, Treaty Series, vol. 944, No. 13446.

Emphasizing the mutually complementary nature of bilateral and multilateral efforts in the field of preventing an arms race in outer space,

Taking note of that part of the report of the Conference on Disarmament relating to this question, 8/

Welcoming the re-establishment of an Ad Hoc Committee on the Prevention of an Arms Race in Outer Space during the 1989 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 to identify, through substantive and general consideration, issues relevant to the prevention of an arms race in outer space,

1. Reaffirms that general and complete disarmament under effective international control warrants that outer space shall be used exclusively for peaceful purposes and that it shall not become an arena for an arms race;

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 strict compliance with existing agreements, both bilateral and multilateral; 9/

3. Emphasizes that further measures with appropriate and effective provisions for verification to prevent an arms race in outer space should be adopted by the international community;

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 to take immediate measures to prevent an arms race in outer space in the interest of maintaining international peace and security and promoting international co-operation and understanding;

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;

8/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 27 (A/44/27), sect. III.E.

9/ Ibid., para. 90 (para. 77 of the quoted text).

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, taking into account relevant proposals and initiatives, including those presented in the Ad Hoc Committee at the 1989 session of the Conference and at the forty-fourth session of the General Assembly;
8. Further requests the Conference on Disarmament to re-establish an ad hoc committee with an adequate mandate at the beginning of its 1990 session, 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;
9. Urges the Union of Soviet Socialist Republics and the United States of America to pursue intensively their bilateral negotiations in a constructive spirit aimed at 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;
10. Calls upon all States, especially those with major space capabilities, to refrain, in their activities relating to outer space, from actions contrary to the observance of the relevant existing treaties or to the objective of preventing an arms race in outer space;
11. Takes note of the report of the Secretary-General on the question of the prevention of an arms race in outer space, 10/ submitted in accordance with resolution 42/33 of 30 November 1987;
12. Requests the Conference on Disarmament to report on its consideration of this subject to the General Assembly at its forty-fifth session;
13. Requests the Secretary-General to transmit to the Conference on Disarmament all documents relating to the consideration of this subject by the General Assembly at its forty-fourth session;
14. Decides to include in the provisional agenda of its forty-fifth session the item entitled "Prevention of an arms race in outer space".

81st plenary meeting
15 December 1989



General Assembly

Distr.
GENERAL

A/RES/44/116
19 January 1990

Forty-fourth session
Agenda item 63

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/44/785 and A/44/L.59)]

44/116. General and complete disarmament

(...)

A/RES/44/116
Page 2

B

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, 5/

4/ See International Atomic Energy Agency, Resolutions and Other Decisions of the General Conference, Twenty-seventh Regular Session, 10-14 October 1983.

5/ See A/40/1070, annex.

Noting the progress reflected in the joint statement issued by the Union of Soviet Socialist Republics and the United States of America following their meetings in Washington, and Wyoming from 21 to 23 September 1989, 6/

Noting also that, since their meetings in Moscow from 29 May to 1 June 1988, 7/ bilateral nuclear-arms negotiations have been intensified,

Noting further the importance of the verification procedures contained in 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 Missiles 8/ as an example of the high standards of verification that are now achievable in arms control agreements, both bilateral and multilateral,

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,

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 Missiles are being implemented by the United States of America and the Union of Soviet Socialist Republics;
2. 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, that is, the resolution of a complex of questions concerning space and strategic nuclear arms with all these questions considered and resolved in their interrelationship;

6/ A/44/578, annex.

7/ See A/S-15/28, annex.

8/ The United Nations Disarmament Yearbook, vol. 12: 1987 (United Nations publication, Sales No. E.88.IX.2), appendix VII.

General Assembly

A/RES/44/116

Page 4

3. 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; 2/

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

81st plenary meeting
15 December 1989

[Faint, mirrored text from the reverse side of the page, including references to the Final Document of the Tenth Special Session and the 81st plenary meeting.]



General Assembly

Distr.
GENERAL

A/RES/44/119
19 January 1990

Forty-fourth session
Agenda item 66

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the First Committee (A/44/788)]

- 44/119. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session

A/RES/44/119
Page 12

G

Disarmament Week

The General Assembly,

Noting that there have been important developments of late in the areas of arms limitation and disarmament efforts which provide a sense of encouragement and hope for a more secure world,

Noting at the same time that, despite the positive developments, the arms race still poses a grave threat to world peace and security,

Stressing the vital importance of eliminating the threat of nuclear and conventional war, ending the nuclear and conventional arms race and bringing about disarmament,

Emphasizing anew the need for and the importance of world public opinion in support of halting and reversing the global arms race in all its aspects,

Taking into account the aspirations of the world public to prevent an arms race in space and to terminate it on Earth,

Noting with satisfaction the broad and active support by Governments and international and national organizations of the decision taken by the General Assembly at its tenth special session, the first special session devoted to disarmament, regarding the proclamation of the week starting 24 October, the day of the foundation of the United Nations, as a week devoted to fostering the objectives of disarmament, 11/

Recalling the recommendations concerning the World Disarmament Campaign contained in annex V to the Concluding Document of the Twelfth Special Session of

the General Assembly, the second special session devoted to disarmament, in particular the recommendation that Disarmament Week should continue to be widely observed, 12/

Noting the support for the further observance of Disarmament Week expressed by Member States at the fifteenth special session of the General Assembly, the third special session devoted to disarmament,

Recognizing the significance of the annual observance of Disarmament Week, including by the United Nations,

1. Takes note with satisfaction of the report of the Secretary-General 13/ on the follow-up measures undertaken by States, governmental and non-governmental organizations in holding Disarmament Week;

2. Commends all States, international and national governmental and non-governmental organizations for their active support for and participation in Disarmament Week;

3. Invites all States that so desire, in carrying out appropriate measures at the local level on the occasion of Disarmament Week, to take into account the elements of the model programme for Disarmament Week prepared by the Secretary-General; 14/

4. Invites Governments to continue, in accordance with General Assembly resolution 33/71 D of 14 December 1978, to inform the Secretary-General of activities undertaken to promote the objectives of Disarmament Week;

5. Invites international and national non-governmental organizations to continue to take an active part in Disarmament Week and to inform the Secretary-General of the activities undertaken;

6. Invites the Secretary-General to continue to use the United Nations information organs as widely as possible to promote better understanding among the world public of disarmament problems and the objectives of Disarmament Week;

7. Requests the Secretary-General, in accordance with paragraph 4 of resolution 33/71 D, to submit to the General Assembly at its forty-seventh session a report on the implementation of the present resolution.

81st plenary meeting

15 December 1989

12/ Official Records of the General Assembly, Twelfth Special Session, Annexes, agenda items 9 to 13, document A/S-12/32, annex V, para. 12.

13/ A/44/446 and Add.1 and 2.

14/ A/34/436.

CONFERENCE ON DISARMAMENT

1964
1 March 1964

Original: 1964

Report of the High Level Group of Experts on the
Progress of the Conference on Disarmament
at Geneva, 1964
Geneva, 1964

In the exercise of its responsibilities as the multilateral disarmament negotiating forum as envisaged in the Final Document of the First Special Session of the General Assembly devoted to disarmament, the Conference on Disarmament decided to re-examine in 1964 the work of the High Level Group of Experts which was set up in 1963 in order to study the possibility of achieving a general agreement on disarmament.

The Conference requested the High Level Group, in discharging that responsibility, to continue to examine, and to identify, through consultation and regular participation, issues relevant to the achievement of an armistice in which there is a total ban.

The High Level Group, in carrying out this work, will take into account all existing agreements, as well as proposals and further initiatives as well as developments which have taken place since the establishment of the High Level Group in 1963, and report on the progress of its work to the Conference on Disarmament at the end of the 1964 session.

CONFERENCE ON DISARMAMENT

CD/976

9 March 1990

Original: ENGLISH

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 541st plenary meeting on 8 March 1990)

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 1990 session.

CONFERENCE ON DISARMAMENT

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LETTER FROM THE SECRETARY-GENERAL TO THE CONFERENCE ON DISARMAMENT
ON THE MATTER OF THE PROVISIONAL LIST OF WEAPONS TO BE
EXCLUDED FROM THE PROVISIONAL LIST OF WEAPONS TO BE
EXCLUDED FROM THE PROVISIONAL LIST OF WEAPONS TO BE

The Secretary-General of the Conference on Disarmament is pleased to inform the members of the Conference that the attached paper is being distributed as an official document of the Conference on Disarmament.

This paper was prepared by the Secretariat on the basis of the information received from the members of the Conference on Disarmament. It was distributed to the members of the Conference on Disarmament as of 11 August 1982.

The attached paper is being submitted as a contribution to the work of the Conference on Disarmament. It is being submitted to the Conference on Disarmament as of 11 August 1982.

CONFERENCE ON DISARMAMENT

CD/908/Rev.1
CD/OS/WP.29/Rev.1
27 March 1990

ENGLISH
Original: SPANISH

LETTER DATED 22 MARCH 1990 ADDRESSED TO THE SECRETARY-GENERAL
OF THE CONFERENCE ON DISARMAMENT FROM THE PERMANENT MISSION
OF VENEZUELA TRANSMITTING A LIST OF EXISTING PROPOSALS ON THE
PREVENTION OF AN ARMS RACE IN OUTER SPACE

The Permanent Mission of Venezuela presents its compliments to the Secretary-General of the Conference on Disarmament and has the honour to request him to arrange for the attached paper to be distributed as an official document of the Conference on Disarmament.

This paper was presented by Venezuela during the 1989 session of the Conference on Disarmament (CD/908, 31 March 1989). It has been updated and contains the list of the proposals concerning item 5 of the agenda that had been submitted to the Conference on Disarmament as of 31 August 1989.

This document is being submitted as a contribution to the structured discussion of item 3 of the programme of work of the Ad hoc Committee on the Prevention of an Arms Race in Outer Space.

VENEZUELA

EXISTING PROPOSALS ON THE PREVENTION OF AN ARMS RACE IN OUTER SPACE

Following is a list of the various proposals on the prevention of an arms race in outer space submitted to the Conference on Disarmament as of 31 August 1989. In each case, reference is made to the document containing the proposal or to the verbatim record of the session in which the proposal was presented.

This document is presented as a contribution to the structured discussion of point 3 of the work programme of the Ad hoc Committee on the Prevention of an Arms Race in Outer Space.

I. Comprehensive proposals

- Treaty prohibiting the use of force in outer space or from space against the Earth (Union of Soviet Socialist Republics, CD/476)
- Treaty prohibiting the stationing of weapons of any kind in outer space (Union of Soviet Socialist Republics, CD/274)
- Amendment to Article IV of the 1967 Outer Space Treaty or additional protocol thereto (Venezuela, CD/PV.398, CD/PV.471, CD/851)
- Amendment to the Outer Space Treaty, multilateralization of the ABM Treaty and ban of ASAT systems other than space-based systems (Peru, CD/PV.428, CD/PV.472)
- Amendment of the Outer Space Treaty (Peru, CD/939).

II. Proposals addressing specific aspects of the problem of preventing an arms race in outer space

- Definition of space weapons (Venezuela, CD/709/Rev.1 and CD/OS/WP.14/Rev.1; Bulgaria and Hungary, CD/OS/WP.14/Rev.1; China, CD/OS/WP.14/Rev.1; Sri Lanka, CD/OS/WP.14/Rev.1; Union of Soviet Socialist Republics, CD/OS/WP.14/Rev.1; German Democratic Republic, CD/OS/WP.14/Rev.1/Add.1)
- Declarations on the non-deployment of weapons in space (Argentina, CD/PV.423 and CD/PV.465)
- Main provisions of a treaty on the prohibition of ASAT weapons and ways to ensure the immunity of space objects (German Democratic Republic and Mongolia, CD/777)
- General treaty on the prohibition of anti-satellite weapons with specific protocols applicable to different categories of satellites (India, CD/PV.423)
- Prohibition of untested anti-satellite system (France, CD/PV.263, CD/PV.303)

- Multilateral instrument to supplement the 1972 ABM Treaty (Pakistan, CD/708)
- Step-by-step approach to the protection of satellites, including identifying which satellites should be subject to protection, followed by identification of an appropriate protection régime for such satellites (Australia, CD/PV.374)
- Protection régime for satellites that contribute to stability and to verification, and their associated ground stations (Australia, CD/PV.279)
- Multilateralization of provisions of bilateral agreements relating to the immunity of satellites (France, CD/375, CD/PV.263 and CD/PV.339; United Kingdom, CD/PV.311)
- Proposals concerning monitoring and verification and satellite immunity (France, CD/937)
- "Rules-of-the-road" agreement (Federal Republic of Germany, CD/PV.318 and CD/PV.345)
- Code of conduct (France, CD/PV.390)
- Confidence-building measures (France, CD/375)
- Confidence-building measures (Poland, CD/941)
- Measures aiming at greater transparency in space activities (Japan CD/PV.419; Australia CD/PV.374; Canada, CD/PV.468)
- Strengthening of the 1975 Registration Convention (France, CD/PV.263, CD/PV.303; Sweden, CD/PV.252; Sri Lanka, CD/PV.404; Pakistan, CD/PV.413, CD/PV.460; Argentina, CD/PV.423; India, CD/PV.423; Canada, CD/PV.468)
- International satellite monitoring agency (France, A/S-10/AC.1/7)
- World space organization (Union of Soviet Socialist Republics, CD/PV.337)
- International Space Inspectorate (Union of Soviet Socialist Republics, CD/817)
- Establishment of a group of experts (Sri Lanka, CD/PV.325, CD/PV.354; Sweden CD/PV.385, CD/PV.430; India, CD/PV.423)
- Proposal concerning a satellite image processing agency (France, CD/945)

III. Interim measures

- ASAT moratorium (Pakistan, CD/708; Sweden, CD/PV.288 and CD/PV.301; Mongolia CD/PV.297; Union of Soviet Socialist Republics, CD/PV.302).

CONFERENCE ON DISARMAMENT

CD/990
23 April 1990

Original: ENGLISH

LETTER DATED 18 APRIL 1990 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 1989 SESSION OF THE CONFERENCE ON DISARMAMENT 1/

In my plenary statement of 24 April before the Conference on Disarmament, I plan to announce that my delegation is making available to delegations the next in our series of compendia on outer space comprising plenary statements and working papers from the 1989 Conference on Disarmament session. As you know, similar documents were distributed every year since 1985 and, with the recent additions, these compendia bring together documentation covering the period 1962-1989.

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.

(Signed) Gerald E. Shannon
Ambassador and
Permanent Representative

1/ A limited distribution of this Compendia in English only has been made to the members of the Conference on Disarmament. Additional copies are available from the Permanent Mission of Canada at Geneva.

CONFERENCE ON DISARMAMENT

CONFERENCE ON DISARMAMENT
1978-1979
Final Report

The Conference on Disarmament was held in Geneva from 1978 to 1979. The purpose of the Conference was to discuss the possibility of achieving a comprehensive ban on nuclear weapons. The Conference was organized by the United States and the Soviet Union. The Conference was held in Geneva, Switzerland, from 1978 to 1979. The Conference was held in Geneva, Switzerland, from 1978 to 1979. The Conference was held in Geneva, Switzerland, from 1978 to 1979.

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(Signed) [Name] [Title]
Representative of the United States of America
at the Conference on Disarmament

CONFERENCE ON DISARMAMENT

CD/1004

20 June 1990

Original: ENGLISH

LETTER DATED 19 JUNE 1990 FROM THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING JOINT STATEMENTS ON THE TREATY ON STRATEGIC OFFENSIVE ARMS AND ON FUTURE NEGOTIATIONS ON NUCLEAR AND SPACE ARMS AND FURTHER ENHANCING STRATEGIC STABILITY, ADOPTED AT THE UNITED STATES-SOVIET SUMMIT MEETING IN WASHINGTON ON 1 JUNE 1990 */

I have the honour to forward to you the following documents of the United States-Soviet summit meeting in Washington:

- Joint Statement on the Treaty on Strategic Offensive Arms, adopted on 1 June 1990;
- Joint Statement on Future Negotiations on Nuclear and Space Arms and Further Enhancing Strategic Stability, adopted on 1 June 1990.

In accordance with past practice, Minister S. Batsanov, USSR Representative to the Conference on Disarmament, will transmit these documents in Russian to the Conference on Disarmament.

I ask that you take the appropriate steps to issue these statements as official documents of the Conference on Disarmament and have them distributed to all member delegations and non-member States participating in the work of the Conference.

(Signed) STEPHEN J. LEDOGAR
Representative of the United States of America
to the Conference on Disarmament

*/ The official Russian texts of the documents mentioned herein are to be found in CD/1005.

JOINT STATEMENT ON THE TREATY ON STRATEGIC OFFENSIVE ARMS

The President of the United States, George Bush, and the President of the Union of Soviet Socialist Republics, Mikhail S. Gorbachev, discussed the status of the Treaty on the Reduction and Limitation of Strategic Offensive Arms. The two Presidents expressed their satisfaction with the great progress which has been made in the negotiations on this Treaty. In particular, they welcomed the mutually acceptable solutions which have been found on major issues in the talks and reaffirmed their determination to have the Treaty completed and ready for signature by the end of this year. They instructed their negotiating teams in Geneva to accelerate their work to complete the Joint Draft Text recording the details of these solutions in order to fulfil this goal.

The START Treaty will be a major landmark in both arms control and in the relationship between the United States of America and the Union of Soviet Socialist Republics. It results from the recognition by both sides of the special obligation they bear to reduce the risk of outbreak of nuclear war, enhance strategic stability, and strengthen peace and international security. As such, the START Treaty will signal a turning point in United States-Soviet arms control efforts toward a more rational, open, co-operative, predictable and stable relationship. The Treaty will complement to a remarkable degree the important political changes which have recently begun to remove the hostility and suspicion and will facilitate the reduction of the sizeable stockpiles of strategic offensive arms which now exist.

The benefits of this Treaty are many. For the first time ever, both sides will carry out significant reductions in strategic offensive arms - up to 50 per cent in certain categories. More importantly, these reductions will be designed to make a first strike less plausible. The result will be greater stability and a lower risk of war.

Major agreed provisions of the Treaty are as follows:

The total number of deployed ICBMs and their associated launchers, deployed SLBMs and their associated launchers and heavy bombers will be reduced to no more than 1,600; within this total deployed heavy ICBMs and their associated launchers will be reduced to no more than 154.

The total number of warheads attributed to deployed ICBMs, deployed SLBMs and heavy bombers will be reduced to no more than 6,000. Of these, no more than 4,900 will be warheads on deployed ICBMs and deployed SLBMs, no more than 1,540 will be warheads on heavy ICBMs, and no more than 1,100 will be warheads on mobile ICBMs;

The aggregate throw-weight of the deployed ICBMs and SLBMs of each side will be limited to an agreed level which will be approximately 50 per cent below the existing level of the aggregate throw-weight of deployed ICBMs and SLBMs of the Union of Soviet Socialist Republics as of a date to be determined. This limit will not be exceeded for the duration of the Treaty;

Heavy bombers equipped for long-range nuclear air-launched cruise missiles (ALCMs) will be distinguishable from other heavy bombers. Heavy bombers equipped for nuclear armaments other than long-range nuclear ALCMs will be counted as one delivery vehicle against the 1,600 limit and will be attributed with one warhead against the 6,000 limit;

Heavy bombers equipped for long-range nuclear ALCMs will be counted as one delivery vehicle against the 1,600 limit and shall be attributed with an agreed number of warheads against the 6,000 limit. Existing and future United States heavy bombers equipped for long-range nuclear ALCMs will be attributed with 10 warheads each. Existing and future Soviet heavy bombers equipped for long-range nuclear ALCMs will be attributed with 8 warheads each;

Within the 1,600 limit on delivery vehicles the United States of America may have no more than 150 heavy bombers equipped for long-range nuclear ALCMs that are attributed with 10 warheads each. The Union of Soviet Socialist Republics may exceed that number of heavy bombers by 40 per cent. If the United States of America exceeds the 150 number, each additional heavy bomber equipped for long-range nuclear ALCMs will be attributed with the number of long-range nuclear ALCMs for which it is actually equipped. If the Union of Soviet Socialist Republics exceeds 210 heavy bombers equipped for long-range nuclear ALCMs, each such heavy bomber will be attributed with the number of long-range nuclear ALCMs for which it is actually equipped;

Existing and future United States heavy bombers may be equipped for no more than 20 long-range nuclear ALCMs; existing and future Soviet heavy bombers may be equipped for no more than 12 long-range nuclear ALCMs;

Long-range ALCMs will be considered those with a range in excess of 600 kilometres. Future long-range non-nuclear ALCMs will not be considered nuclear if they are distinguishable from long-range nuclear ALCMs. There will be no restrictions on deploying such ALCMs on aircraft not limited by the Treaty.

Reductions will be carried out in three phases over a period of seven years. Specific, equal interim levels for agreed categories of strategic offensive arms will be achieved by the end of each phase of reductions;

The numerical limitations provided for by the Treaty will be achieved and complied with through conversion or elimination in accordance with agreed procedures.

Sea-launched cruise missiles (SLCMs) will not be constrained in the START Treaty. Each side will provide the other with a unilateral declaration of its policy concerning nuclear SLCMs and, annually for the duration of the Treaty, with unilateral declarations regarding its planned deployments of nuclear long-range SLCMs, i.e. those with a range in excess of 600 kilometres. Those declarations will be politically binding. In the annual declarations the maximum number of deployed nuclear SLCMs for each of the following five Treaty years will be specified, provided that the number declared will not exceed 880. In the declarations of policy it will be specified that the United States of America and the Union of Soviet Socialist Republics will not produce or deploy nuclear sea-launched cruise missiles with multiple independently targetable warheads. The sides reaffirmed their 1987 Washington Summit Joint Statement to continue to seek "mutually acceptable and effective methods of verification".

Except as specifically prohibited, modernization and replacement of strategic offensive arms may be carried out.

The START Treaty will include specific prohibitions on certain categories of strategic offensive arms, basing modes and activities. The following are among the bans under the START Treaty:

- new types of heavy ICBMs;
- heavy SLBMs and launchers of heavy SLBMs;
- mobile launchers of heavy ICBMs;
- new types of ICBMs and SLBMs with more than 10 re-entry vehicles;
- flight testing and deployment of existing types of ICBMs or SLBMs with a number of re-entry vehicles greater than the number specified in the Washington Summit Joint Statement of December 1987;
- rapid reload of ICBM launchers;
- long-range nuclear ALCMs equipped with multiple independently targetable warheads.

The far-reaching reductions and other constraints contained in the Treaty will be accompanied by the most thorough and innovative verification provisions ever negotiated.

Taken together, the START Treaty's comprehensive verification régime will create a degree of transparency in the military sphere which would have been unthinkable only a short time ago. It will not only provide for effective verification of the obligations of the Treaty, but will also greatly increase the mutual confidence which is essential for a sound strategic relationship. In addition, this verification system can provide a model which may be incorporated into future agreements. The verification régime under development includes:

- On-site inspections: For the purpose of ensuring verification of compliance with the Treaty, each side will, on the basis of reciprocity, conduct 12 kinds of on-site inspections, as well as continuous monitoring of mobile ICBM production facilities, in accordance with agreed procedures. Inter alia, each side will conduct short-notice inspections at facilities related to strategic offensive arms, including inspections to verify the numbers of re-entry vehicles on deployed ballistic missiles, inspections to verify elimination of strategic offensive arms and facilities related to them, suspect site inspections, and various exhibitions.
- National technical means of verification: For the purpose of ensuring verification, each side will use national technical means of verification at its disposal in a manner consistent with generally recognized principles of international law. The Treaty will include a series of co-operative measures to enhance the effectiveness of national technical means of verification. There will be a ban on interference with such means;
- Ban on denial of telemetric information: The sides agreed to make on-board technical measurements on ICBMs and SLBMs and to broadcast

all telemetric information obtained from such measurements. Except for strictly limited exemptions, there will be a ban on any practice, including the use of encryption, encapsulation or jamming, that denies full access to telemetric information;

- Information exchange: Before signature of the Treaty the sides will exchange data on the numbers, locations and technical characteristics of their strategic offensive arms. These data will be updated on a regular basis throughout the lifetime of the Treaty;
- A comprehensive agreement on the manner of deployment of mobile ICBM launchers and their associated missiles and appropriate limitations on their movements so as to ensure effective verification of adherence to the numerical limitations provided for in the Treaty. In addition, the number of non-deployed ICBMs for mobile launchers will be limited and mobile ICBMs will be subject to identification through the application of unique identifiers, or tags.

To promote the objectives of the Treaty, the sides will establish the Joint Compliance and Inspection Commission.

The sides have agreed that the Treaty will have a duration of 15 years, unless superseded earlier by a subsequent agreement. If the sides so agree, the Treaty can be extended for successive five-year periods, unless superseded.

The progress outlined above fulfils the aim, set forth by the Presidents of the United States of America and the Union of Soviet Socialist Republics during their Malta meeting, of agreeing upon the basic provisions of the strategic offensive arms Treaty by the time of their Washington meeting. The two Presidents express confidence that the Foreign Ministers and the delegations of the two countries at the Geneva talks will be able to reach agreement in the remaining months on the outstanding issues that are still being negotiated.

Washington

1 June 1990

Joint Statement on Future Negotiations on Nuclear and Space Arms
and Further Enhancing Strategic Stability

The United States of America and the Union of Soviet Socialist Republics, building on the results of the current negotiations, agree to pursue new talks on strategic offensive arms, and on the relationship between strategic offensive and defensive arms. The objectives of these negotiations will be to reduce further the risk of outbreak of war, particularly nuclear war, and to ensure strategic stability, transparency and predictability through further stabilizing reductions in the strategic arsenals of both countries. This will be achieved by seeking agreements that improve survivability, remove incentives for a nuclear first strike and implement an appropriate relationship between strategic offenses and defenses.

In order to attain these objectives, the sides have agreed as follows:

First. This year the sides will complete work on the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms. Following the signing of the Treaty, the sides will hold consultations without delay regarding future talks and these important talks will begin at the earliest practical date. Both sides in these future talks will be free to raise any issues related to any strategic offensive arms.

Within the existing negotiating framework on Nuclear and Space Arms in Geneva, the two sides will continue negotiations on ABM and space without delay.

Thus, in the future talks the two sides will discuss strategic stability issues of interest to them, including the relationship between strategic offensive and defensive arms, taking into account stabilizing reductions in strategic offensive arms and development of new technologies. The sides will work toward the important goal of reaching an early outcome in these negotiations.

Second. The United States of America and the Union of Soviet Socialist Republics, as is the case in the emerging START Treaty, will, in the new negotiations, seek to reduce their strategic offensive arms in a way consistent with enhancing strategic stability. In the new negotiations, the two sides agree to place emphasis on removing incentives for a nuclear first strike, on reducing the concentration of warheads on strategic delivery vehicles, and on giving priority to highly survivable systems.

In particular, the two sides will seek measures that reduce the concentration of warheads on strategic delivery vehicles as a whole, including measures related to the question of heavy missiles and MIRVed ICBMs. Effective verification will be provided by national technical means, co-operative measures, and on-site inspection.

Third. Having agreed on the need to ensure a predictable strategic relationship between the United States of America and the Union of Soviet Socialist Republics, the sides will, for the entire duration of the START Treaty, exchange, at the beginning of each calendar year, information on planned changes in the numbers of strategic offensive arms as of the end of the current year.

Fourth. The sides will pursue additional measures to build confidence and ensure predictability of the military activities of the United States of America and the Union of Soviet Socialist Republics that would reduce the possibility of an outbreak of nuclear war as a result of accident, miscalculation, terrorism, or unexpected technological breakthrough, and would prevent possible incidents between them.

Fifth. The sides believe that reducing the risk of outbreak of nuclear war is the responsibility not only of the United States of America and the Union of Soviet Socialist Republics, and that other States should also make their contribution toward the attainment of this objective, in particular in the field of non-proliferation of nuclear weapons. They call upon all States to consider the new opportunities for engagement in mankind's common effort to remove the risk of outbreak of nuclear war worldwide.

Accordingly, the United States of America and the Union of Soviet Socialist Republics will give these future negotiations the highest priority so that the benefits of strengthened stability can be realized as soon as possible.

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CD/1015
CD/US/WP.42
18 July 1990

ENGLISH
Original: SPANISH

ARGENTINA

Working paper

Proposals for the strengthening of the régime established by the Convention on Registration of Objects Launched into Outer Space

I.

The use and exploration of outer space are governed by a body of law that has developed in parallel with the advances in science and technology that have given man growing access to space.

This increasing presence of man in space has not been limited to scientific or economic activities, but has been strongly apparent in the area of activities directly or indirectly linked to the military sphere.

This has required adaptation and analysis of the existing legal instruments in the light of those military activities, thereby giving rise to debate as to the legal interpretation of principles common to the use of space, such as those of peaceful use, non-interference in the use and exploration of space, etc.

Irrespective of the interpretation given to those principles, it is an undeniable fact that the possible extension of the arms race to space is a reality requiring, at both the bilateral and the multilateral levels, consideration and action in order to avoid the adverse effects that would result from the indiscriminate militarization of space.

II.

The efforts are, as indicated above, being made both bilaterally, between the major space Powers, and multilaterally, through the action of the United Nations General Assembly (Committee on the Peaceful Uses of Outer Space, COPUOS) and the deliberations of the sole multilateral disarmament negotiating body, the Conference on Disarmament.

As regards the bilateral efforts, to the existing agreements of special relevance to the militarization of space (the Treaty on the Limitation of Anti-Ballistic Missile Systems, or ABM Treaty) must be added the negotiations currently in progress within the framework of the Space and Defence Talks, the objective of which is precisely the strengthening of stability in the military uses of space in accordance with the criteria agreed by the States participating in that negotiating process.

As regards the Conference on Disarmament, the Ad hoc Committee on Prevention of an Arms Race in Outer Space provides, in its programme of work, both for the analysis of the existing legal régime (item 2) and for the study of additional proposals and initiatives (item 3).

These two items are intrinsically linked, since in the case of a body like the Conference on Disarmament, whose objective is to negotiate agreements on the issues it studies, the exegesis of the rules in force must have a practical purpose. In other words, analysing the existing legal régime is, in the Conference on Disarmament, an exercise aimed at evaluating the scope of the rules that we have today, with a view to determining:

(a) Whether those rules are suited to the emerging needs of the task of preventing an arms race in outer space;

(b) Whether they can be adjusted or reinforced to make them more suitable for that purpose;

(c) Whether there are any important lacunae that would require the elaboration of new agreements to regulate areas of present or future space activity.

III.

The work of the Conference on Disarmament, after five years of general and substantive consideration of the subjects connected with the prevention of an arms race in outer space, has demonstrated the existence of what, although they converge in a common objective of preserving space from militarization, are separate schools of thought.

One of these schools is that which approaches the problem from a general or comprehensive point of view, which has identified certain areas that, in its opinion, require the presence of further specific rules or the amendment of existing rules to the same end. Into this category fall proposals like those concerning the elaboration of treaties completely or partially banning anti-satellite weapons, proposals for the amendment of article IV of the Outer Space Treaty, or for a convention on the non-use of force in space, etc.

The common denominator of these proposals, whether of those that propose new legal instruments or of those that prefer the amendment of existing agreements, lies in their global approach to the problem of preventing the militarization of space and, in keeping with that, the proposing of comprehensive measures to limit or prohibit certain developments or activities deemed harmful or potentially destabilizing.

The other school of thought is that which, while sharing with the first a similar interpretation of the space problem, considers it feasible, in view of the persistence of differing interpretations of most of the measures of a global nature to have been proposed, to adopt a partial or specific view, concentrating its efforts on partial measures that are not directly classifiable as measures of disarmament or arms limitation, but are useful inasmuch as they contribute in a gradual manner to the same goal.

The measures belonging to this school of thought are those that have been defined as confidence-building measures.

They include such proposals as those concerning the drawing up of a code of conduct for outer space or systems for protecting satellites or ensuring their immunity, etc.

Among the existing agreements, one that has a practical nature of great value in the field of confidence-building measures and transparency as regards State's activities is the 1975 Convention on Registration of Objects Launched into Outer Space.

This legal instrument was drawn up following the direct precedent established by resolution 1721 A (XVI) of the United Nations General Assembly, the reference in space matters, since it was adopted unanimously by the Assembly, thereby making it de facto a rule of law recognized by all States. 1/

In the resolution, the General Assembly urged launching States to provide information on their launches and also requested the Secretary-General to maintain a public register containing that information. Although neither resolution 1721 nor, later, resolution 1962 (XVIII), known as the "Declaration on Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space", includes specific references to the military uses of space, both indicate that space activities must be carried out for peaceful purposes.

The Convention on Registration of Objects Launched into Outer Space, then, responded to the gradual elaboration of international law applicable to outer space by continuing the process begun in the above-mentioned General Assembly resolutions and spelling out in detail some aspects of subsequent instruments, particularly the Outer Space Treaty (1967) and the Convention on International Liability for Damage Caused by Space Objects (1972). The first of those instruments is linked to the Registration Convention through the mention of the "State of registry" which is to be found in articles V and VIII of the Treaty. The link with the Convention on International Liability derives from the very nature and object of this latter instrument.

In the context of the analysis of the Registration Convention from the viewpoint of security and confidence-building, it is important to point out that the Convention, while it is not directly an agreement specifically directed at the military sphere, acknowledges a function in this sphere that cannot be ignored.

That function derives in the first place from the close link with the body of space law, law which recognizes peaceful use as one of the guiding principles of human activity in outer space. Concretely, the Registration Convention reflects the primacy of that principle by quoting it in its first preambular paragraph. 2/

However, the link with the principle of peaceful use is not confined to the references to other, earlier texts. It is also apparent from the text of the Convention itself, which, in article IV, paragraph 1(e), calls upon the launching State to provide, in addition to information concerning itself and the designator and orbit, etc., of the space object, information concerning the "general function of the space object".

There is, then, express acknowledgement in the text of the Convention of the usefulness of compliance by States parties with certain concrete technical requirements as regards information, but, at the same time, it is established that, for the purposes of the Convention, the general function of the space object is a necessary additional criterion.

This fact confers upon the Registration Convention a more comprehensive nature than that of a mere inventory of purely technical generic information.

IV.

The operation of the Convention has made it clear that launching States provide the information superficially and partially. 3/

The fact that no State has registered a single launch for military purposes although the majority of launches basically have a function linked to military activities speaks for itself.

Furthermore, for the great majority of launchings, notifications have been submitted to the United Nations two to six months after launch. In a few cases, launchings have been notified within a week or two of launch, and in others, more than a year after it. 4/

The unsatisfactory level of compliance with the Registration Convention has led some States, aware of the importance of the instrument and of its unquestionable potential as regards security, to propose that States parties should take more committedly and seriously the undertakings freely assumed by them as contracting parties to the Convention. 5/

Other proposals have been made within the Ad hoc Committee. All attest to the practical importance of the Convention and its value as a legal support tool for detailed proposals aimed at establishing a space order based on greater transparency and co-operation and less exclusivity and confrontation. 6/

V.

The present proposal forms part of a tradition of initiatives all having to do with the possibility of strengthening the régime established by the 1975 Convention on Registration of Objects Launched into Outer Space. The Registration Convention, as we know, arose from the need to give greater

concreteness and specificity to considerations that were already present in a very general way in the 1967 Outer Space Treaty. In practical terms, it also supplemented the provisions of the 1972 Convention on International Liability.

In short, the Convention is an instrument which, while it cannot be described as relating directly to aspects linked to disarmament or arms limitation, unquestionably forms part of the body of space law, the tradition of which since the adoption by the General Assembly of resolutions 1721A (XVI), 1884 (XVIII) and 1962 (XVIII) is one of consistency and common objectives, prominent among which is that of using outer space for the benefit and in the interests of the international community.

Consequently, the Registration Convention, by providing concrete information about the nature and functions of objects launched into outer space, is, de facto, an essential data base for any subsequent development aimed at generating confidence regarding the uses of space.

To deny in this connection its unquestionable security value would simply be to show ignorance of the instrument and of its nature or, what is worse, to fail to observe its provisions if one is a party to it.

The drafters of the Convention began from the premise, which we now recognize as wholly valid, that broad knowledge of the presence of objects in outer space would generate the conditions necessary for the peaceful, harmonious and rational use of that environment. That being so, it was felt that a limited number of unilateral obligations regarding the provision of information would suffice to give concrete expression to that idea.

Article IV of the Registration Convention established this criterion through five basic reporting parameters:

- (a) Launching State;
- (b) Designator or registration number of the object;
- (c) Date and location of launch;
- (d) Basic orbital parameters (period, inclination, apoqee, periqee);
- (e) General function of the object.

Similarly, it stated that all this information should be provided "as soon as practicable".

Thus, the Convention established a highly generic framework and in itself constituted a not inconsiderable achievement, since the international community at that time lacked organized information in the field in question.

Hence, a principle of orderliness, or at least, the institutional legal framework for attaining it, was defined.

In practice, the results have been far from the least that was expected. The flow of information generated as a result of the application of the Convention has been meagre, incomplete and untimely, entirely subject to the

will of the State supposed to supply the information and with no possibility at all of stimulating the States parties to the registration régime to demonstrate more meticulous compliance with the terms of the agreement.

The adoption of minimalist wording, and the granting in the text of the Convention of almost total discretion ("... as soon as practicable ...") have in fact neutralized an instrument whose potential remains enormous.

Specifically, the strengthening of the régime ought to be undertaken on two levels: first, that of the scope of the information, and second, that of its timeliness.

As regards scope, we would refer in particular to the terms of article IV, paragraph 1(e). In this respect, we believe that States should provide something more than the "general function" of the space object, as that criterion makes it hypothetically possible to describe a military reconnaissance satellite as, for example, a communications satellite.

It can be seen how useful a more precise register would be, for example for the subsequent elaboration of rules to protect civilian satellites, or even military satellites, given its stabilizing function.

It must be emphasized that there is no reason why a more detailed description should affect the discreetness or effectiveness of a mission if the criteria that constitute a full and satisfactory general description of the functions of a space object are adequately defined.

As regards other additional information, we feel that the definition of common criteria could be the specific responsibility of a group of governmental experts under the auspices of the Conference through its Ad hoc Committee.

Turning to the timeliness of the provision of information, it is clear that, as the Convention is currently worded, the information can arrive late, if at all, or never, which is also probable.

A political decision properly backed up from the scientific and technical points of view should determine what time-limits would be acceptable if the Convention is to be useful and effective. That does not mean, for example, that information should be supplied prior to launching. The time-limits and the scope of the information could be defined in each case in accordance with the nature and functions of the object to be launched.

Strengthening the Registration Convention would not only suit the instrument better to the objectives originally sought, but would also make it a valuable additional factor of confidence and transparency with regard to the peaceful uses of outer space.

The Convention would then also yield positive complementary effects with other proposals that have been put forward in the Conference, such as those concerning the definition of codes of conduct for outer space, for which a reliable and systematic record of the objects launched into outer space is a basic prerequisite.

Notes

1/ As was recognized by the delegations of the United States of America and the Soviet Union before the Legal Sub-Committee of COPUOS, in Hurwitz, Bruce A., The Legality of Space Militarization, North-Holland, Amsterdam, New York, 1986.

2/ "Recognizing the common interest of all mankind in furthering the exploration and use of outer space for peaceful purposes", in Hurwitz, op. cit.

3/ See, from the United Kingdom on 29 July 1985, document CD/OS/WP.7, para. 15 in fine.

4/ See document A/AC.105/382, para. 16.

5/ See, from Australia and Canada, document CD/OS/WP.25, p.3.

6/ See, from Poland, document CD/OS/WP.38, as well as related proposals, such as document CD/937 from the delegation of France concerning satellite immunity and the establishment of a trajectory centre, and various statements by the delegation of the Federal Republic of Germany concerning a code of conduct for outer space (complete list of references to the relevant verbatim records in, from Mongolia and Venezuela, document CD/OS/WP.28/Rev.1, pp.26 and 27).

INTRODUCTION

At the thirty-seventh session of the Council of the League of Nations, held at Geneva on 22 September 1928, the Commission on the Responsibility of the Authors of War and on the Enforcement of Penalties was established.

The Commission was entrusted with the task of determining the responsibility of the authors of war and of recommending the measures to be taken for the enforcement of penalties. It was also to study the conditions of the application of the law of war and to report on the results of its work.

The Commission was composed of representatives of the various States of the League of Nations, and its work was carried out in a series of sessions held at Geneva from 1928 to 1930.

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II. ORGANIZATION OF THE COMMISSION

At the thirty-seventh session of the Council of the League of Nations, held at Geneva on 22 September 1928, the Commission on the Responsibility of the Authors of War and on the Enforcement of Penalties was established. The Commission was composed of representatives of the various States of the League of Nations, and its work was carried out in a series of sessions held at Geneva from 1928 to 1930.

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

I. INTRODUCTION

1. At its 541st plenary meeting on 8 March 1990, 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 1990 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 541st plenary meeting on 8 March 1990, the Conference on Disarmament appointed Ambassador Gerald Shannon (Canada) 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 16 meetings between 13 March and 14 August 1990.

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, Bahrein, Chile, Denmark, Finland, Greece, Honduras, Iraq, Ireland, Malaysia, New Zealand, Norway, Portugal, Senegal, Spain, Switzerland, Syria, Turkey, United Arab Emirates, Uruguay, Viet Nam and Zimbabwe.

6. In addition to the documents of the previous sessions 1/, the Ad Hoc Committee had before it the following documents relating to the agenda item submitted to the Conference on Disarmament during the 1990 session:

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| CD/908/Rev.1 | Letter dated 22 March 1990 addressed to the |
| CD/OS/WP.29/Rev.1 | Secretary-General of the Conference on Disarmament from the Permanent Representative of Venezuela transmitting a list of existing proposals on the prevention of an arms race in outer space; |
| CD/976 | 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"; |
| CD/990 | Letter dated 18 April 1990 addressed to the Secretary-General of the Conference on Disarmament from the Permanent Representative of Canada to the Conference on Disarmament transmitting a compendium comprising plenary statements and working papers relating to the 1989 session of the Conference on Disarmament; |
| CD/OS/WP.28/Rev.1 | Letter dated 25 June 1990 from the Permanent Representatives of the Mongolian People's Republic addressed to the Chairman of the <u>Ad Hoc</u> Committee on Prevention of an arms race in outer space transmitting a working paper entitled "Review of proposals and initiatives of the States Members of the Conference on Disarmament under agenda item 5, 'Prevention of an Arms Race in Outer Space'"; |
| CD/OS/WP.41 | Programme of Work; |
| CD/1015
CD/OS/WP.42 | Working paper entitled "Proposals for the strengthening of the régime established by the Convention on Registration of Objects Launched into Outer Space" submitted by Argentina |

1/ The list of documents of the previous sessions may be found in the 1985, 1986, 1987, 1988 and 1989 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 and CD/956, respectively).

III. SUBSTANTIVE WORK DURING THE 1990 SESSION

7. Following an initial and extensive 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 6th meeting on 24 April 1990, adopted the following programme of work for the 1990 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.

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

10. During the debates in the Committee, member States had an opportunity to exchange views and express positions on different subjects relevant to the prevention of an arms race in outer space. Many delegations defined the subjects discussed, inter alia, as follows: determination of the scope and objectives of multilateral work under the agenda item; the status of outer space as the common heritage of mankind which should be used exclusively for peaceful purposes; the absence at present of weapons in space; the relationship between the prevention of an arms race in outer space and arms limitation and disarmament measures in other areas; the role of the bilateral

negotiations and their interaction with the multilateral activities in this field; the identification of the functions performed by space objects, and of the threats confronting them; vulnerability and immunity of satellites; their role and use for purposes of reliable verification; a concept of a comprehensive international verification system; questions relating to compliance and the need for information on how outer space is being used and on national space programmes of military significance; the need for identification and elaboration of mutually agreed legal terms; examination of sufficiency and adequacy of the existing legal régime; various approaches to reach a common understanding of what the existing legal norms do with regard to outer space activities; and functioning of the existing legal instruments.

11. 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 of multilateral negotiations and reaffirmed that, as provided for in General Assembly resolution 44/112, 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. They also stressed that the scope of the work of the Conference on Disarmament was global and larger than the scope of the bilateral negotiations. Some other delegations, while recognizing the need for the Conference to play a role with respect to problems relating to the prevention of an arms race in outer space, stressed that nothing should be done that would hinder the success of the bilateral negotiations. Furthermore they believed that multilateral disarmament measures in this area could not be considered independently of developments at the bilateral level.

12. The Group of 21 emphasized that General Assembly resolution 44/112 had requested the Conference on Disarmament to consider as a matter of priority the question of preventing an arms race in outer space and to intensify its consideration of that question, taking into account all relevant proposals and initiatives, as well as to re-establish an ad hoc committee with an adequate mandate in 1990, 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. Reaffirming its commitment to the provisions of this resolution, this Group considered its adoption as an expression of strong

support to entrust the Ad Hoc Committee with an improved mandate in conformity with the responsibilities of the Conference on Disarmament as the single multilateral forum for disarmament negotiations. The same Group expressed the view that the Ad Hoc Committee on the prevention of an arms race in outer space has examined and identified the need for strict compliance with existing agreements and also has considered further measures and the need to hold appropriate international negotiations in accordance with the spirit of the Outer Space Treaty. It recalled 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. The Group considered the additional reference in the Programme of Work this year that the Ad Hoc Committee should carry out its work by finding and building upon areas of convergence as representing a certain qualitative improvement in the Committee's organizational context. This Group saw it as a clear recognition of the need to identify concrete areas for practical work in this field thus leaving behind the purely deliberative stage in which the Committee had operated since its establishment, particularly with reference to item 3 of the programme of work.

13. The Western Group was convinced that the mandate of the Ad Hoc Committee adopted by the Conference was sufficiently clear, broad and flexible to allow all interested delegations to contribute in a constructive way to reaching our common goal, the prevention of an arms race in outer space. One delegation, a member of this Group, while sharing the objective of the item under which the Ad Hoc Committee was established, believed that the CD should do everything possible to improve collective security whether on earth or in space.

Recognizing the importance of the two Powers with the overwhelming capability in this area this delegation considered that the best way to begin the process was by direct negotiations between them. Meanwhile it believed that the CD does have a role to play. While holding the view that the Committee was not in a position to begin multilateral negotiations the delegation hoped that the discussion of various proposals would produce consensus on what is feasible and desirable. It considered that the aim in the Conference on Disarmament should be the continuation of the discussion of general considerations - technical, legal, political, military and strategic - to identify areas where the Conference might make a genuine contribution to prevent an arms race in outer space.

14. Many delegations stated that the prevention of an arms race in outer space remained one of the major concerns of the community of States. One

delegation of a non-member State believed that the verification of arms control agreements should constitute the sole military use of space. The disclosure by States of other military activities in space would constitute a great step forward towards the achievement of this objective. Another delegation stressed that the prevention of an arms race in outer space was an area that must be tackled with renewed commitment. An area that must be reserved for the common welfare of mankind cannot be subjected to power politics. As to the general environment against which space activities take place, this delegation stated that the increasing number of countries becoming involved in space activities make the consideration of the item in the Conference on Disarmament even more relevant. Furthermore, it indicated that as far as space activities are concerned, the encouraging signs one sees on disarmament related questions on Earth are absent. The absence of a consensus on the need to complete and develop a legal régime widely recognized as insufficient, coupled with the continuing disagreements between the two major space Powers create an extremely precarious situation. Referring to the work carried out by the Conference, after five years of consideration of the item, this delegation indicated that a qualitative step forward was possible. To this end, the Group of 21 stressed that the specific areas under consideration should be clearly delimited and determined by a rolling text of an analytical nature. Otherwise, the work of the Conference would not rise above the level of an exchange of views, more befitting a deliberative body than one with the characteristics of the CD.

15. Members of the Group of East European and other States stated that the CD faced many problems as it moved into the 1990s. In their view, rapid and serious steps were urgently needed now to address these problems. Referring to a considerable number of proposals on the table, these delegations expressed their readiness to hold intensive discussions with the involvement of experts. In their view, far-reaching understanding seemed to exist in terms of the usefulness of confidence-building measures (e.g., proposals made by France, Canada, the USSR, the FRG and Poland). The same holds true for the proposals advanced by East European States and non-aligned countries concerning agreements on the prohibition of anti-satellite weapons and other space weapons. With reference to the recent General Assembly resolutions, one delegation stated that the prevention of an arms race in outer space remained one of the major concerns of the international community. That State supported all measures negotiated and agreed bilaterally or multilaterally,

even if they are incomplete, which could prevent the introduction of weapons and weapons systems in outer space. It favoured respect for and the broadening of all existing rules in this field. This delegation was ready to give its support to proposals concerning, inter alia, the banning of anti-satellite weapons, the elaboration of a code of conduct in outer space or the monitoring of objects launched into space.

16. Stressing that arms control and disarmament are not ends in themselves but means to a more important goal, that of enhanced security, some delegations noted that a large majority of space activities consists of military activities and noted that many such activities clearly had stabilizing roles and were vital components of deterrence and strategic stability. They noted that military systems deployed in space accomplished a variety of support missions and that they played a vital role in the strategic relationship of the two major Powers. They considered that, while the Ad Hoc Committee had had very substantial discussions, fundamental divergences persisted and the work was still in an exploratory phase. In their view, the prevention of an arms race in outer space was linked to and should take into account progress in other fields of arms limitation and disarmament, in particular the reduction of nuclear weapons. These delegations continued to underline the importance of issues relating to verification of and compliance with existing and future agreements and held that those issues required a more thorough examination. They also stressed the need for detailed information on national space programmes that had military implications.

17. Some delegations reckoned that discussions on definitions so far had been unsatisfactory and had shown that without consensus about the basic assumptions and without agreement upon the technical, juridical and doctrinal meaning of a definition, any attempt to achieve clarity in conformity with intended treaty obligations would remain academic. The view was expressed that the Committee should discuss the existing military activities in space and look at the value and utility of such activity. One delegation indicated that useful work could be done on the definition of relevant terms as this would provide a basis both for discussion and future negotiations and would speed up work at the CD by precluding sterile arguments over semantics.

18. One delegation stated that since 1985, the Conference had considered, in successive ad hoc committees, questions related to the "prevention of an arms race in outer space". Its country had conducted its own examination of possible measures that might be feasible and desirable to serve as the basis

for possible negotiations on further multilateral arms control agreements that apply to outer space. To date, its Government has yet to see any proposals from others that it believes are feasible, desirable and verifiable. And the country has not identified any such appropriate measures to propose. The delegation declared that it was prepared to consider any proposal that emerges there but is not able to accept calls for multilateral negotiations in this area.

19. One delegation held that the prevention of an arms race in outer space and the peaceful utilization of it is the common aspiration of the people across the world. But it considered that in spite of the acceleration of the process of disarmament, the arms race between the super Powers has not ended but on the contrary has taken on a new trend, a dimension of which is the extension of the arms race into outer space. Hence preventing an arms race in outer space has become a major task in the field of disarmament. In its view the arms race in outer space based on the latest developments in science and technology is a qualitative escalation of the arms race in nature, which not only poses a threat to international peace and security but is also detrimental to the activities aimed at the peaceful utilization of outer space. Furthermore, it considered that it will have an adverse effect on the process of nuclear disarmament by pushing up the nuclear arms race to a new height. Confronted with such a reality it stands 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. They should adopt practical measures in undertaking not to develop, test or deploy any types of space weapons, and on this basis conduct negotiations with a view to concluding an international agreement that completely bans all space weapons. It took note of the bilateral negotiations on space issues between the two major space Powers and pointed out that so far nothing substantive has been achieved. The delegation recalled the relevant provisions of the UN General Assembly resolution 44/112. It also recalled that its State has 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, including both anti-ballistic missiles and anti-satellite weapons, because these two kinds of weapons are inseparable.

20. Many delegations reiterated that outer space was the heritage of all mankind and as such it should therefore remain a domain for exclusively peaceful co-operation, thus making it of vital importance to prevent an arms

race in outer space. Some delegations pointed out that to date the Conference has performed useful work on identifying and clarifying the various aspects of this complex item and has before it numerous proposals aimed at supplementing and elaborating upon the existing legal régime, which should continually be strengthened. In their view, the Conference should urgently fulfil its role in the elaboration of 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. Those delegations maintained that the timeliness for effective solutions could be seen from the statement made in the plenary of the Conference that United States-Soviet bilateral negotiations are "based upon a mutual recognition that there is no absolute weapon - offensive or defensive", which clearly indicated the negative consequences of deployment of any weapons in outer space. They also recognized to be an urgent issue, as an increasing number of countries are becoming technologically capable of conquering outer space, in which only military activity aimed at verifying disarmament treaties could be useful. In their view the urgent elaboration of a system of confidence-building measures would clear the way for essential steps towards preventing the arms race.

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

21. The Ad Hoc Committee recognized that activities in the exploration and use of outer space should be carried out in accordance with international law. The importance of the principles and provisions of international law relevant to the prevention of an arms race in outer space was stressed.

22. Some delegations underlined the central role that the Charter of the United Nations played in the legal régime applicable to outer space. In that connection they stressed the special significance of paragraph 4 of Article 2 and Article 51. They noted that Article 2(4) prohibits the threat or use of force against the territorial integrity or political independence of any State. Complementing Article 2(4), Article 51 permits States to exercise their inherent right of individual or collective self-defence. These delegations thus concluded that when read together, these two Charter provisions strictly prohibit the use of force in all instances except self-defence. Accordingly, they believed that these provisions afforded a substantial degree of protection to space objects. Other delegations reaffirmed the importance of the United Nations Charter, but, at the same

time, reiterated that its provisions concerning the non-use of force could not, in and of themselves, be sufficient to preclude an arms race in outer space - just as they had not done so on Earth - since they did not address the question of the development, testing, production and deployment of weapons in space. These delegations recalled that the legal provisions of these articles had not diminished the universally-recognized need to negotiate disarmament agreements and even to ban specific types or whole classes of weapons, such as biological, nuclear, chemical and radiological weapons. In their view, Article 51 of the Charter could not be interpreted as justifying the use of space weapons for any purposes or the possession of any type of arms based on the use of space weapons. They also stressed that Article 51 could not be invoked to legitimize the use or threat of use of force in or from outer space. In this context, they noted that the objective agreed upon by consensus, both at multilateral and bilateral levels, was not to regulate an arms race in outer space but to prevent it, and that any attempt to justify the introduction of weapons in that environment contradicted that objective. One delegation stated that the right to legitimate self-defence enshrined in Article 51 of the Charter does not authorise any State to extend its military power into space nor to use that environment as an arena to station its instruments of destruction, endangering the security and integrity of other States.

23. One delegation, a member of the Group of 21, stressed that Article IV of the Outer Space Treaty, contains a built-in limitation, as its scope does not extend to banning all types of weapons in outer space. It prohibits, inter alia, the placing, installing or stationing of nuclear weapons and other weapons of mass destruction only. Its provisions do 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 applies only to the Moon and other celestial bodies and the only restriction placed on States parties pertains 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. Another delegation belonging to the same Group shared these opinions and added that the peaceful

use of outer space must not be against the primordial aim of safeguarding international peace and security, a use which would not imply a violation of the fundamental principles and aims of the United Nations Charter, particularly the rule of paragraph 4 of Article 2 of the Charter, which prohibits any activity which threatens or implies the use of force against the territorial integrity and political independence of a State.

24. Some delegations pointed out that as a result of the work accomplished in the past years, the Committee had at its disposal a sound analysis of the existing international law of outer space and a number of constructive proposals.

25. Some delegations observed that when the Outer Space Treaty was negotiated, the possibility that space-based anti-satellite weapons or defence systems could be developed was not foreseen and the Treaty, in fact, was a response to the challenges that space technology created in the 1960s. One delegation stressed that the first paragraph of article IV of the Treaty, represented a legal loophole exploited by the Powers to develop a new generation of weapons that can be placed in outer space. The Group of 21, while recognizing that the legal régime placed some limitations on certain weapons and military activities in outer space, 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. Consequently, according to that Group these were not sufficient to prevent an arms race in that environment, particularly in view of the rapid pace of progress in space science and technology as well as ongoing military space programmes. That Group believed that there is an urgent need to consolidate, reinforce and develop that régime and enhance its effectiveness with a view to preventing an arms race in outer space.

26. One delegation stated that although space law has a variety of sources, including customary international law, the Charter of the United Nations, bilateral agreements relating to outer space and a series of treaties addressing specific issues of space law - the corner stone of international space law is the Outer Space Treaty of 1967. Scrupulous compliance with the principles of the Treaty has served the international community well in the past and should continue to do so in the future. In the view of this delegation, the Outer Space Treaty contains several provisions relevant to those issues of concern for this Committee. Article IV prohibits the orbiting around the Earth, stationing in outer space, or installation on celestial

bodies of nuclear weapons or any other kinds of weapons of mass destruction. This provision sufficiently addresses the major concerns of the community of nations, while permitting those activities necessary for minimum strategic stability consistent with the use of outer space for peaceful purposes. One of the most important principles of international law, recognized in Article 51 of the United Nations Charter, is the right of nations to defend their sovereign, territorial integrity and political independence. Like the high seas and international airspace, international law has always considered space available for those non-aggressive activities that have been proven to promote international stability. In addition to the Outer Space Treaty and the subsequent treaties addressing the exploration of outer space, certain arms control treaties have provisions specifically applicable to space activities. Important among these is the Anti-Ballistic Missile Treaty of 1972. The history of this agreement demonstrates the value of permitting States with paramount interests in certain areas of the arms control process to resolve their fundamental differences by means of such bilateral arrangements. The delegation emphasized that it was of the firm belief that any perceived gaps in the legal régime can be satisfied by particular attention to the principles now in existence. It underlined its deep commitment to the use of outer space for peaceful purposes and for those defensive aspects of the security of that State that require a military presence in space. It stated that its State intended to pursue with deliberate speed its objectives in accordance with international law.

27. Some delegations expressed serious concern that one space Power went ahead with its strategic defence programme by having conducted or planning a number of experiments which would lead to growing mistrust and might intensify the arms race.

28. Various delegations believed that the present legal régime governing outer space was no longer adequate to guarantee the prevention of an arms race occurring in outer space. It was noted that General Assembly resolution 44/112 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.

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

29. Some delegations, stressing the urgency of forestalling the introduction of weapons in space, discussed comprehensive proposals for the prevention of an arms race in outer space, such as those calling for a treaty prohibiting the use of force in outer space or from space against Earth, a treaty prohibiting the stationing of weapons of any kind in outer space and amendments to the 1967 Outer Space Treaty.

30. 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-weapons systems which are not stationed in outer space. According to that proposal those amendments to the Treaty would be complemented by a second additional protocol to deal with the verification system to ensure faithful compliance with the obligations assumed by the States Parties which may be a mixed system based principally on a multinational or international approach and on a national approach in accordance with the means of verification available to each State Party. The same delegations stressed the need for strengthening the confidence-building measures as well as the legal régime to prevent the arms race in outer space.

31. One delegation expressed 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.

32. One delegation made a reference to its proposal contained in document CD/851 seeking to amend Article IV of the Outer Space Treaty. That delegation stressed that that proposal has, as its point of departure, the recognition, largely shared by a vast sector the Conference and reflected in previous reports of the Ad Hoc Committee that the Outer Space Treaty has an important juridical vacuum and is inadequate to prevent an arms race in outer space because it does not prohibit the stationing in space of weapons other than nuclear and mass destruction weapons. It maintained that those other weapons not covered by the Outer Space Treaty are described in this proposal and currently they give rise to the deepest concern because they are the subject of research and development, with a view to being incorporated into strategic defence systems.

33. One delegation suggested that the majority of satellites with military capabilities belonged to two major Powers and they are critical for the stability of the strategic nuclear systems. Both States are negotiating bilaterally to reduce their strategic nuclear arsenals and address outer space issues. In the view of this delegation, one day these nuclear systems and their associated land and space-based concomitant may disappear, but for the moment however they remain pillars of the security of both States and only a deliberate, rational, harmonious policy will retire them without danger. Therefore, it would be impossible to imagine that the Conference on Disarmament could play an active and constructive role in this process at this stage.

34. One delegation recalled that its Government had introduced radical proposals to prevent the development and deployment of any space weapons at all and specifically anti-satellite weapons. Experience showed, however, that such radical measures could not become the subject of concrete negotiations in the near future. As a result, more and more delegations are opting to begin with confidence-building measures in space. It pointed out that the idea was not to start negotiations just for the sake of negotiations, in order to be able to report that the CD was conducting negotiations on outer space, but rather to take the first steps towards establishing the basis for confidence with respect to States' space activities - to build up experience with constructive multilateral work as regards the outer space dimension of security and stability. However important the bilateral Soviet-American negotiations are, multilateral efforts are vital, because an increasing number of States are becoming involved in space activities. Therefore, the delegation suggested that the concept of "open outer space" should become a subject of consideration at the Conference on Disarmament. The most important measures related to the realization of the "open outer space" concept, in the view of this delegation include (a) the strengthening of the 1975 Convention on Registration of Objects Launched into Outer Space; (b) the elaboration of "rules of the road" or a "code of conduct"; (c) the use of space-based monitoring devices in the interest of the international community; and (d) the establishment of an international space inspectorate. France's proposal for the establishment of an international centre to process images obtained from space also deserves a positive response. These measures cannot endanger anybody's security. The delegation urged all States to study thoroughly the positive potential embodied in the "open outer space" concept. One delegation

submitted on behalf of two states an updated version of the document entitled "Review of initiatives initiatives of the States members of the Conference on Disarmament under agenda item 5", prepared on the basis of the official documents and records of the United Nations General Assembly and the Conference on Disarmament, as well as on statements made by the member States (CD/OS/WP.28/Rev.1). The delegation hoped that the review would promote in-depth analysis of the complex political, military, scientific, technical and international legal problems, taking into account the necessity of examining avenues which could lead to future multilateral negotiations in the Conference on Disarmament aimed at the prevention of an arms race in outer space.

35. Several delegations reiterated that they stood for the banning of all space weapons which naturally includes ASAT weapons. In the view of these delegations in order to facilitate consideration and negotiation of the issue of the prevention of an arms race in outer space, the banning of ASAT weapons, as a first step, has a certain practical significance.

36. One delegation held 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 stop the development, testing, production and deployment of space weapons and destroy all the existing ones, including both anti-ballistic missiles and anti-satellite weapons. They should reach as soon as possible substantive agreement on the prevention of an arms race in outer space through serious negotiations; all space capable States in their activities in outer space should not take any action contrary to the existing relevant conventions and the common goal of preventing an arms race in outer space. Instead they should adopt timely and effective measures for the realization of this common goal. 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 space weapons and of the use of force or hostile activities both to and from outer space. International co-operation should be vigorously carried out for the peaceful utilization of outer space, so that mankind can genuinely benefit from this common heritage. Space capable States should make positive contribution to this end.

37. One delegation stated that its Government has concluded that because of the many problems associated with ASAT arms controls, a ban prohibiting testing and deployment of all specialized ASAT systems would not be in the

national security interest of that State. Some of its concerns associated with ASAT systems include verification, definition, break-out potential and disclosure of information. These problems would become even more intractable with a ban on ASAT capabilities, which would require the inclusion of systems that are not specialized ASAT systems but that have inherent ASAT capabilities, these include manoeuvring spacecraft, some direct-ascent ABM interceptors, ICBMs and SLBMs.

38. An expert from one delegation gave a presentation on the present and future use of commercial space based remote sensing satellite imagery for arms control verification purposes. That presentation concluded that: future satellite verification systems could be operated by a particular State or, alternatively by a multilateral verification régime; present commercial satellite imagery must be supplemented by other sources; and, data acquired by a future verification system could be used for other important tasks such as environmental monitoring.

39. This same delegation presented another expert contribution, this one on verification and outer space. This presentation concluded that: the large scale expansion of human activity in space in the coming years could lead to activities which appear ambiguous with respect to space weapon development; there is a conceptual approach to defining spacecraft as relatively benign or harmful; and, verification of the relative harmfulness of a space object can be made more effective by supplementing existing treaty restrictions with confidence-building measures.

40. One delegation pointed out that confidence-building measures, increased transparency, "rules of the road", etc., that could be of interest for a reinforced régime pertaining to space activities, should be based, inter alia, on multilateral observation and verification arrangements. It would appear that techniques for observation and verification of confidence-building régimes and measures to prevent an arms race in outer space could be similar or identical. The delegation reiterated in this context its proposals to ban so-called dedicated anti-satellite weapons as well as the testing of other weapons devices in an ASAT mode. The delegation shared the opinion expressed on the necessity to strengthen the existing "declaratory" régime pertaining to space activities through, e.g., a reinforcement of the Registration Convention. But this was not enough. Cross-references to voluntary data exchange were called for. The same delegation introduced an independent expert, who made a presentation on methods in support of an enhancement of

security in space. The expert in this context presented various interesting technologies such as, inter alia, microwave radar imaging, which would make it possible to obtain images of satellites from a ground station with a resolution in the order of centimetres. Several other techniques were referred to, such as satellite-borne sensors; on-site inspections; infra-red devices; and the tagging of satellites, etc. An international tracking centre could be established and at its disposal have a tracking centre, as well as a world-wide network of observation stations. The delegation looked forward to continued deliberations on verifications techniques. The Ad Hoc Committee last year and during the 1990 session had advanced its work on these kind of issues, inter alia, through interesting contributions by scientific and technical experts. The contributions of experts should be as systematic and structured as possible. The delegation had, therefore, proposed that an expert group be established to assist the work of the Committee.

41. Another delegation in the presentation of its expert gave its view on new technologies for effective non-nuclear defences against strategic ballistic missiles. It stated that it would be unwise to discriminate in arms control accords in favour of nuclear defences and against non-nuclear defences. This is why this State seeks in its bilateral negotiations to facilitate the co-operative transition to increasing reliance on such defences. To facilitate this transition and openness, it has proposed the following four ideas in the Defence and Space Talks: first, a side ought not deploy large-scale defences without first engaging in three years of discussions with the other side on specific measures for a co-operative transition. In these discussions the sides could address such questions as the purpose and architectures, and planned pace and scale, of intended deployments, and confidence-building measures; second, the ABM Treaty's permissive rights for testing certain types of advanced, space-based defences should be acknowledged. In this regard this State has provided an assurance to the other side that its testing could not, by virtue of strict limits on the number of ABM test satellites, constitute a prohibited deployment of defences; third, treaty constraints on space-based ABM radars and devices which can substitute for them, which are useful for advanced defences, should be dropped; fourth, the sides should implement now a series of predictability measures that would bring greater openness and thus reduce the risk of future technological surprise.

42. One delegation stated that the creation and deployment of such ABM systems and the placing of weapons in outer space could lead only to the undermining of strategic stability and a reduction in the level of security, because it would inevitably lead to competition in the field of both strategic defensive arms and strategic offensive weapons - in other words, an arms race on a new and even more dangerous level. This would inevitably also lead to the destruction of fundamental international agreements in the area of arms control. Stability and security in our time could only be reciprocal and were achieved not by the continuation of the arms race but rather through the consistent reduction of strategic offensive weapons together with strict limitations on strategic defensive systems, a ban on the placing of arms in outer space and the expansion of confidence-building and predictability measures.

43. Various delegations were of the view that consideration should be given to the questions of the protection of satellites. Some delegations considered that attempts to establish a protection régime based on a categorization of satellites would give rise to many difficulties and advocated the granting of immunity to all space objects without exception, with the understanding that space weapons would be subject to an unconditional ban. Other delegations were of the view that certain distinctions should be made for the purpose of immunizing satellites and various possibilities were mentioned in terms of their functions, purposes and orbit. In this connection, some delegations held that a protection régime called for improvements in the system of registration of space objects to permit the identification of the nature and missions of protected space objects. Some delegations stressed in particular that immunity should not be extended to satellites that perform military missions.

44. One delegation, in an expert presentation, described the legal régime for outer space as general, precarious and unevenly ratified. It considered that any provisions limiting or prohibiting weapons or activities were only exceptions to the possible use of outer space on the basis of self-defence and that the principle of peaceful use only excluded aggressive uses of space. To improve the peaceful uses of outer space, it deemed particularly important to utilize the verification potential offered by outer space and to strengthen the security of space activities. In this respect, it recalled its proposal for an Agency for the Processing of Space Images (APSI) put forward in 1988. Since it considered that the diversity of ASAT systems made it practically

impossible to design a single comprehensive prohibition régime, that delegation reaffirmed that it was necessary to codify the principle of non-interference with non-offensive space activities and to elaborate a space code of conduct, based on a reinforced registration régime.

45. Some measures relating to the security of satellites were mentioned by some delegations, such as multilateralizing the immunity provided for in certain bilateral agreements to satellites that served as national technical means of verification, a "rules-of-the-road" agreement, the reaffirmation and further elaboration of the principle of non-interference with peaceful space activities and the elaboration of a code of conduct in outer space to prevent the risks and fears that could arise from certain manoeuvres of space objects.

46. In the view of a number of delegations, it was imperative to create a coherent set of confidence-building measures in relation to activities in outer space and this could be achieved by initiating a process of data exchange. Stressing the non-compulsary character of possible measures, one delegation subjected to detailed analysis several articles of the Outer Space Treaty and Registration Convention, which contained "points of contact" or "starting points" capable of serving as a framework for this set of measures.

47. One delegation reiterated its conviction that its concept of a "rules-of-the-road" agreement would be a useful contribution to a protection régime in outer space, to the creation of a solid future space order and to the prevention of an arms race in outer space. In its view, the main components of such an agreement would comprise inter alia: restrictions on very low altitude overflight by manned and unmanned spacecraft; new stringent requirements for advanced notice of launch activities; specific rules for agreed and possible defended "keep-out zones"; grant or restrictions of the right of inspection; limitation on high-velocity fly-bys or trailing for foreign satellites; established means by which to obtain timely information and consultations concerning ambiguous or threatening activities. Detailed views in this regard alluding more closely to the possibilities of correlating experts' proposals on a multilateral protection régime for outer space of the precedent session were again provided in an experts' presentation of this delegation entitled "On Correlating Measures of Confidence- and Security-Building in a Multilateral Protection Régime for Outer Space".

48. Another delegation declared that it continued to study the variety of options for arms control in outer space and it has concluded that elaborating and discussing rule-of-the-road for satellites in the multilateral context,

would directly interfere with ongoing bilateral talks on outer space issues between two major Powers. The delegation stressed that its Government cannot now engage in multilateral discussions or negotiations of rules-of-the-road. As for the concept of keep-out zones, in its view it was beset by many difficulties and inconsistencies. This State considered that the current legal régime renders these zones superfluous. Specifically, verification, in its view, would be difficult, and keep-out zones also have the potential of interfering with national technical means of verification. Depending on how defiant, these zones could violate Article II of the Outer Space Treaty.

49. Many delegations focussed on the importance of transparency in the activities of States and of accurate information on how outer space was being used. The view was expressed by some delegations that there was a need for expert examination of the parameters on which information should be provided and it was suggested that a group of experts be set up for that purpose. Some delegations believed that strengthening of the Registration Convention would be a valuable confidence-building measure, and they discussed various ways and means of improving the system of notification established thereunder with a view to assuring the availability of timely and adequate information on the nature and purposes of space activities.

50. One delegation recognized the utility of elaboration of a kind of data base on the launching of satellites and the collection and classification of technical data. It considered that for this purpose it would be a good start to establish a scientific centre whose work could be shared among scientists in different parts of the world. In its view the more information and more experience and more opportunity for comparisons, the more could be built to contribute to deeper and more widespread co-operation, putting into practice the idea that space is a value common to all mankind.

51. One delegation made an expert presentation, emphasizing the role of notification on space activities as a confidence and security-building measure. This delegation noted that the implementation of the principle of legal immunity of satellites and non-interference with space activities of other States derived its verifiability from sufficiently precise information on the behaviour of space objects. The delegation stated further that the Convention on Registration of Objects Launched into Outer Space was insufficient in so far as it did not provide adequate data. In order to acquire the data, the delegation proposed a phased extension of information requirements, comprising pre-launch information, announcement of parameters

immediately after launch and updates as required during the whole time of the existence of an object in outer space. Manoeuvres of space objects should be announced in advance. This delegation was of the opinion that acquisition of data on orbital parameters and mission activities could best be performed by an International Processing and Information Centre. It was suggested that the Committee should contribute to a comprehensive space management system with its core - a legal protection régime for space objects. This régime would require internationally binding provisions for the conduct of space activities and a reliable verification procedure. A structured debate on these subjects could include: (a) Notification - (b) Code of conduct/Rules-of-the-Road - (c) Inspection In order to facilitate this work, the assistance of experts could be sought.

52. Many delegations referred to the questions concerning the functioning of the Registration Convention and pointed out that this Convention, as mentioned in its preamble, has to be seen in the context of developing international law governing the exploration and use of outer space and therefore had direct relevance to the work of the Ad Hoc Committee. One delegation of the Group of 21 referred in detail to its proposal on the strengthening of the régime established by the Convention on the Registration of Objects Launched into Outer Space (CD/1015-CD/OS/WP.42). It affirmed that in spite of the fact that the Convention cannot be described per se as a disarmament or arms limitation agreement, it provides specific information about the nature and functions of objects launched into space, thus constituting an indispensable database for any subsequent development designed to generate confidence in the uses of outer space. That delegation pointed out that the concrete results of the implementation of the Convention fall far short of the most modest hopes, as the flow of information generated by the application of the Treaty has proved to be scanty, incomplete and tardy. However, the delegation concerned considered that the potential of the instrument continues to be vast. In specific terms it 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. Finally, the delegation responsible for this proposal stressed that a more precise register would be necessary for the subsequent formulation of régimes to protect

satellites or schemes like the ones referred to as "Rules of the Road" and others. Such a reformulated Registration Convention, in the view of that delegation, would certainly better adapt the instrument to its original objectives, while making it an important confidence-building and transparency measure related to space activities.

53. Another delegation pointed out that its Government did not favour proposals that blur the role of the Registration Convention, that confuse issues relevant to space co-operation with those relevant to space disarmament. It held that the Convention's primary purpose was to provide a central registry to facilitate determining liability and the Convention was not an arms control measure. It also strongly disagreed with the view that the 1975 Registration Convention needs amending. It functions well and should not be expected to take on burdens for which it was not designed. If changes were advisable, it would be most inappropriate to discuss them with non-parties of the Convention. That State judges that the Conference on Disarmament is not the competent body to discuss amendments and that this task falls properly within the mandate of the Committee on the peaceful uses of outer space. In particular, the Convention has provisions for amending, which States parties can implement at any time, and a problem with the Registration Convention has been in its implementation rather than in its provisions, as only about 35 States have ratified the Convention. The delegation made an appeal that all States with outer space programmes should become parties. Some States failed to register their space objects or waited several years before doing so. The delegation stressed that some of the very countries pressing for changes to the Registration Convention have either been negligent in their reporting or are not parties to the Convention and widespread adherence to the Convention is far more likely to strengthen it than piecemeal attempts to redefine its terms. The delegation did not see any need for additional reporting requirements or voluntary enhancement of the 1975 Registration Convention as Article IV of that Convention makes adequate provision for additional voluntary reporting and it is not at all clear that additional reporting would serve as measures to build confidence. It also noted that the issue of debris in space belongs elsewhere than in the Conference on Disarmament.

54. Referring to its proposal concerning declaration that weapons have not been deployed in outer space on a permanent basis, one delegation explained that the initiative, which was aimed at generating a climate of confidence in

the field of the prevention of an arms race in outer space, continues to be a valid initiative as experts and analysts concur in the conclusion that for the time being no weapons have been deployed in the space environment. The delegation, underscoring the political nature of such unilateral declarations, recalled that they have been recently agreed in the bilateral negotiations between the two major military Powers, to deal with very specific issue areas in which the complex nature of the elements to be verified make necessary the resort to manifestations of a political commitment in order to make progress.

55. Some delegations recognized the importance of verification in the context of measures to prevent an arms race in outer space and considered that it should be possible to assure verification of compliance with agreements through a combination of national technical means and international procedures. Other delegations noted that the Outer Space Treaty contained some verification provisions. A number of delegations were of the view that verification functions should be entrusted to an international body to provide the international community with an independent capability to verify compliance. Reference was made to the proposed international satellite monitoring agency and to international co-operation for the use of Earth monitoring satellites for the verification of arms limitation and disarmament agreements.

56. One delegation, in an expert presentation, analysed the different existing and possible ASAT systems. It noted that the efficiency of such systems depended on the speed of their operation, on their discretion, on their collateral effects and on the replacement capacity of the targets. It drew attention to the relationship between ASAT and ABM systems. It described possible ASAT techniques (fragmentation, kinetic or directed energy weapons) as well as the constraints which some of them would face (disturbances, need for accuracy, targeting, checking of results ...) It also envisaged possible passive and active counter-measures to ASAT systems. It stressed the difficulties in verifying a possible ban on ASAT weapons as well as in defining the scope of such a prohibition. It concluded that some technical financial or strategic constraints could dissuade ASAT deployments more than legal norms; co-operative measures such as a space code of conduct could however favour the conclusion of agreements in this field. In another expert presentation, the same delegation recalled its proposal for an International Trajectory Centre, designed as a management instrument for a confidence-building and transparency régime, which would collect data on space

objects provided by their users and calculate trajectories in order to warn users in case of potential incidents. This could serve as elements in evidence of good faith if incidents occurred. To illustrate both the prospects offered by such a project and the constraints which it would face, that delegation analysed the techniques for determining and extrapolating satellite orbits; it described the natural and other disturbances which need to be taken into account. It concluded that each type of space mission had specific needs in orbitography, and that international co-operation in this field would strengthen the security of space activities.

57. Many delegations welcomed the presence of an increased number of legal, scientific and technical experts introduced by delegations from all Groups and noted with satisfaction the contribution they made in increasing the understanding of a number of problems and of respective positions. Several delegations considered that such presentations contained ideas and proposals for methods that could be of some use for the various confidence-building measures or measures to prevent an arms race in outer space put forward in the Committee. In this context, many delegations continued to support the establishment of a group of governmental experts to provide technical expertise and guidance in the consideration of issues before the Ad Hoc Committee.

58. One delegation stated that each member of the Conference on Disarmament has the right to use experts to make presentations to appropriate bodies of the CD. Despite the educational value of the presentations made this year the delegation cannot envisage that CD members would be able to agree upon a group of experts that would be thoroughly objective as political elements would invariably skew expert deliberations. This State concludes that the Conference is not the proper parent for such offspring.

59. One delegation stressed the importance of co-operative measures in the use of outer space. In the view of this delegation substantial possibilities of co-operation also exist in the military field. It recalled the idea of international monitoring agencies or independent satellite observation systems advanced by a number of Governments. It considered that the competence of such a system or agency could cover the monitoring of arms control arrangements, collecting information and data on sensitive areas as well as supporting United Nations peace-keeping efforts. In the view of that delegation it would be of the utmost importance if the two most-advanced outer space Powers, in co-operative with others who expressed their interest, could

inform this Conference or the United Nations that they offer the use of their outer space systems, or some part of them, to the United Nations. It held that this could become a key in a new approach to the prevention of an arms race in outer space. That delegation thought that this arms race could be prevented not only by bans and prohibitions but also by international co-operation, taking into account the security interests of all States. At the same time it noted that such observation and monitoring arrangements, internationally created and managed, could complement and strengthen the structure of the UN collective security system, making its activity more efficient.

60. Some other delegations were of the view that it was necessary to continue the examination of issues relevant to the prevention of an arms race in outer space that had not been sufficiently explored. They believed that much more detailed examination had to be done before it would be possible to undertake further activities. They considered that given the divergence of views on substantive and political issues, the broad scope of individual topics and the highly technical nature of the subject, the Committee had carried out work which contributed to a better understanding of the subject, but that much remained to be accomplished within the terms of the current mandate and programme of work. They also noted that much of the discussions held on proposals clearly showed the persistence of radically different approaches to the issues and that consensus did not exist on them. Consequently, the Committee needed to continue to study all the subjects covered by the mandate in order to establish a common body of knowledge and understanding, and common definitions of the scope and specific objectives of multilateral efforts for the prevention of an arms race in outer space.

61. Many delegations, while recognizing the importance of substantive consideration of relevant issues, emphasized that such consideration should be an integral part of the multilateral process of elaborating concrete measures aimed at the prevention of an arms race in outer space and that it could be done in the context of considering specific proposals. They reaffirmed that the objectives of multilateral efforts in this field are clearly set out in the Final Document of the first special session of the General Assembly devoted to disarmament. They also recalled the relevant resolutions adopted by the General Assembly. In this context, these delegations stressed the indispensable role of the Conference on Disarmament as the single multilateral negotiating body on disarmament and the inscription of item 5 on its agenda.

62. The Group of 21 stressed that the need to undertake negotiations on concrete measures on an urgent basis had become evident. It suggested ways to improve the work of the Ad Hoc Committee in the examination of existing proposals in order to make it more effective. In this respect, the same Group proposed dealing with those proposals that lend themselves to a more structured analysis by the establishment of sub-groups. The same Group stated that there appeared to be a general recognition that the Committee could usefully consider confidence-building measures and data-base improvements relevant to its mandate in consonance with evident complementarities of bilateral and multilateral efforts in this area. Given the improved international atmosphere the Group also underlined the continued general recognition in the Ad Hoc Committee for over five years of the importance and urgency of preventing an arms race in outer space and its readiness to contribute to that common objective. This Group felt that opportunities existed for such a constructive course of action to facilitate progress towards achieving the objectives of the Committee's mandate.

IV. CONCLUSIONS

63. 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 does 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 plays 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 states 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.

64. 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 1990 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.

65 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 1991 session, taking into account all relevant factors, including the work of the Committee since 1985.

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