
Conference on Disarmament

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English

Final record of the one thousand two hundred and third plenary meeting

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President: Mr. Marius Grinius (Canada)

The President: I declare open the 1203rd plenary meeting of the Conference on Disarmament. We had some very good exchanges last week on the first two core issues and I hope that we will continue this week with some very substantive exchanges on the third and fourth core issues, with the focus today on the prevention of an arms race in outer space. So far we have 20 speakers on the list. What I will do is read out the first five and then keep a rolling tab of speakers. The first five are: Hungary, on behalf of the European Union, followed by Brazil, the Russian Federation, Algeria and Switzerland. I give the floor to Hungary.

Ms. Giannella (Hungary): Mr. President, I have the honour to speak on behalf of the European Union. The candidate countries Croatia, Iceland, Montenegro, the former Yugoslav Republic of Macedonia and Turkey, the stabilization and association process countries and potential candidates Albania, Bosnia and Herzegovina and Serbia, as well as Georgia and Ukraine align themselves with this statement.

Space activities are expanding. Space is a resource open for all countries in the world, for those who already have space activities and for those who will have them in the future. Therefore, the European Union considers it necessary to ensure greater security in outer space and believes that a pragmatic and incremental process can assist in achieving this goal with the rapidity that the speed of expansion requires. Activities in this respect should be developed in a peaceful, safe and secure environment: an arms race in outer space must be prevented. Such prevention contributes to the strengthening of international security and promotes international cooperation in the field of the free exploration and use of outer space for peaceful purposes by all States. Hence, the long-standing position of the European Union and its member States in the Conference on Disarmament in favour of the enhancement of the multilateral framework concerning the preservation of a peaceful, safe and secure environment in outer space.

We would like to recall that, in 2008 and 2010, the European Union introduced the United Nations General Assembly resolutions on the Hague Code of Conduct against Ballistic Missile Proliferation (resolutions 63/64 and 65/73). The European Union member States voted in favour of the General Assembly resolution on prevention of an arms race in outer space (PAROS) and, in 2010, co-sponsored the resolution on transparency and confidence-building measures in outer space activities. We look forward to working constructively with the Group of Governmental Experts (GGE) established by the latter resolution.

The European Union is grateful to you, Mr. President, for organizing these discussions today. In particular, the European Union appreciates the efforts of the Russian Federation and the People's Republic of China to put the subject on the international agenda with the aim of enhancing international space security. We took note with interest of the proposal for a draft treaty on prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects (PPWT) in the 2008 session of the Conference on Disarmament.

Concerning the draft PPWT, the European Union has indicated that while it identifies itself with the overall goal to preserve outer space as an area free from armed conflict, further reflection and work is required on the elements for an effective international treaty. For example, it remains a difficult challenge to achieve consensus on the definitions needed for a legally binding instrument. As a matter of principle, an effective and robust verification system must be an integral part of any future treaty concerned with space security. The European Union considers that it is not sufficient to refer only to a possible future additional protocol. Also, any PPWT would need to address clearly the issue of anti-satellite weapons tests. These difficulties should not, however, prevent us from working on the issues contained in this proposal.

The European Union is committed to the development and implementation of transparency and confidence-building measures, as a means to achieve concrete, rapid and enhanced safety and security in outer space. We are also particularly sensitive to the issue of the risks posed by space debris which are detrimental to present and future activities.

In its reply to the General Assembly resolution 61/75 in September 2007, the European Union underlined that voluntary rules of the road on outer space activities endorsing best practices between space actors would serve this objective. The European Union promotes the elaboration of an international and voluntary set of guidelines – a tool that would strengthen the safety, security and predictability of all space activities. Such guidelines should, among other things, limit or minimize harmful interference, collisions or accidents in outer space, and the creation of debris. Events in recent years, including the collision of United States and Russian satellites, prove that security in outer space goes beyond the considerations related to the placement of weapons in space.

To this end, and as the Conference on Disarmament is aware, the European Union has elaborated a draft code of conduct for outer space activities. The European Union has conducted extensive consultations with some major space-faring nations. In the light of these consultations, we have produced a new version of our proposal for a code of conduct, on the basis of which the Council of the European Union conferred a mandate on Ms. Catherine Ashton, the High Representative for Foreign Affairs and Security Policy, on 27 September 2010, to carry out further and wider consultations. A copy of this revised draft has been distributed to you.

The European Union is in the process of consulting with as many countries as possible, active or not yet active on space issues, to discuss this proposal and gather their views. This will allow us to work on further steps for the code of conduct. The draft code is based on three principles: freedom for all to use outer space for peaceful purposes; preservation of the security and integrity of space objects in orbit; due consideration for the legitimate security and defence needs of States. Our proposed draft foresees that the code would be applicable to all outer space activities conducted by States or non-governmental entities. The draft code would be voluntary and open to all States. It would lay down the basic rules to be observed by space-faring nations in both civilian and military space activities.

The purpose of the draft Code is not to compete with or substitute initiatives dealing specifically with the placement of weapons in outer space. On the contrary, as a transparency and confidence-building measure, the draft Code does insist on the importance of taking all necessary measures in order to prevent space from becoming an area of conflict and calls on nations to resolve any conflict in outer space by peaceful means. It could be a valuable and tangible contribution to upcoming discussions in the GGE.

In addition to bilateral consultations, we are considering the possibility of organizing a multilateral experts meeting in 2011 to discuss our initiative. This multilateral experts meeting will serve to prepare the ad hoc diplomatic conference, open to participation by all States on a voluntary basis, at which the code will be open for signature. Due to the overarching nature of the code, it would not be appropriate to table the draft code in any existing forum dealing with disarmament matters, such as the First Committee of the General Assembly or the Conference on Disarmament, or any other forum dealing with civilian outer space activities, such as the Fourth Committee of the General Assembly or the Committee on the Peaceful Uses of Outer Space (COPUOS). We will keep the Conference on Disarmament informed on the progress of work on the draft code.

The President: I thank Ms. Giannella for her statement and now give the floor to Brazil.

Mr. de Macedo Soares (Brazil): Mr. President, the prevention of an arms race in outer space has been on our agenda since 1981, when the Committee on Disarmament received the mandate through General Assembly resolution 36/99, to conclude, “an appropriate international treaty to prevent the spread of the arms race to outer space” and “embark on negotiations with a view to achieving agreement on the text of such a treaty”.

Just a few years earlier, in 1978, States had come to the conclusion that outer space was not alien to international security and that the matter should be addressed by the United Nations. It was for that reason that the issue was included in the Final Document of the first special session of the General Assembly devoted to disarmament where, in paragraph 80, it is explicitly stated that: “In order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.”

To be brief on the historical background, let me just recall that PAROS has had many opportunities to progress, the closest call being when the Conference on Disarmament established an ad hoc committee to address the matter between 1985 and 1994, in order to examine all existing agreements, existing proposals and future initiatives. It was a decision contained in document CD/584. However, in 1994, unfortunately, its final report was inconclusive and member States could not arrive at a consensus to reconvene the committee. Since then, the matter has been limited to proposals circulated by some delegations, but no formal discussions have taken place.

Within the framework of the United Nations, since 1981, there have been more than 30 resolutions adopted by the General Assembly on outer space, mainly on a PAROS treaty and on transparency, which have received almost unanimous support. This year, on the occasion of the thirtieth anniversary of General Assembly resolution 36/99, the Conference on Disarmament is nowhere near the fulfilment, neither of that first mandate from the General Assembly, nor of a mandate of its own.

It is important to take this opportunity to remind ourselves that the reasons put forward, 30 years ago, by the international community to negotiate a treaty have not lost their validity. On the contrary, there are more concerns today on security in outer space and therefore more arguments in favour of such a treaty.

Over these three decades, the world has become more and more dependent on satellite services. The global community has also become aware that all space activities are vital, but also vulnerable to accidents and failures, as events in recent years have shown. In this new, overpopulated, space environment, with more than 3,000 satellites in operation, the number of inactive devices and the innumerable pieces of space debris pose increasing dangers.

The launching of weapons in orbit could be the extra element making the satellite network even more vulnerable and more prone to collapse, by accident or otherwise. It is in this light that a PAROS treaty could be a solution for ruling out the threat of a collapse. Needless to say that such a collapse would affect all countries, without distinction, those that have and those that do not have the technological capacity to launch weapons in orbit. Compared to the “nuclear winter” imagined by Carl Sagan, we could face a “global black-out”.

Among the many aspects involved in the issue, there are two basic perspectives that divide those who have an interest in the matter. The first one is the point of view of those States that have neither the motives nor the technological means to place weapons in orbit. In general, those countries tend to believe, as I believe is the case of public opinion at large, that outer space should be used exclusively for the traffic of satellites that provide communications, forecasting, information and other services.

The second perspective is that of States that are capable of developing and deploying different sorts of weapons: aggressive or defensive, either placed in orbit or land-based and designed to attack space objects. For these countries, outer space is an environment with potential warfare use. It is precisely this belligerent use of space that a vast majority of States wishes to exclude by means of a PAROS treaty, ensuring that outer space does not become a battlefield.

There is widespread recognition that the absence of a legal instrument to deal with the potential problem of weapons in space is a vacuum that creates global insecurity and undermines confidence among major space-faring countries.

Brazil — a developing country engaged in a space programme totally directed towards peaceful purposes — expects to have unrestricted access to a weapons-free outer space and believes that it is in the best interest of the international community to start negotiations on a legally binding instrument to prevent the placing of any kind of weapon in outer space.

The unfortunate reality is that consensus to move negotiations forward on PAROS in the Conference on Disarmament remains elusive, although my delegation still places hope on the adoption of the programme of work proposed by the presidency that would open the way to negotiations. This frustrating stalemate has stimulated delegations to look for alternatives and propose different options. In this regard, ideas have been aired, some in the form of concrete proposals.

One of these is to pursue, as a first approach, transparency and confidence-building measures, which is a modality aimed at lowering tensions, but not at preventing an arms race in outer space. Brazil does not refuse intermediate measures and we have been supporting a number of initiatives in the General Assembly, but efforts in the Conference on Disarmament should be focused on a legally binding instrument.

Another idea that has been aired is the initiative by the European Union, just mentioned, of drafting a code of conduct for outer space activities. I understand that this document will be a set of guidelines encouraging the peaceful use of outer space and covering many aspects of satellite operations. However, the question must be considered as to whether it will sufficiently cover the complexities of international security in space, including the banning of weaponization, which requires a legally binding instrument.

It should also be pointed out that, as a means of regulating international activities, codes of conduct are a novelty, whose incorporation in international public law is, to say the least, a subject of controversy. By not being legally binding, compliance with codes of conduct would be based solely on the goodwill of States. However, in such documents we have frequently seen prescriptions and prohibitions that are expected to be observed, otherwise the signatory is considered as not complying. In that case, codes of conduct are supposed to generate obligations.

International law establishes that a State can assume legal obligations only through a constitutional process usually involving the advice and consent of the legislative power, among other requirements. Codes of conduct are not expected to fulfil those requirements hence they cannot be considered instruments of international law. They are nothing more than political documents which may establish political and even moral bounds, but not legal ones.

The draft treaty on prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects, circulated by the Russian Federation and China as document CD/1839, in 2008, is a contribution to starting discussions on a legally binding instrument to regulate the matter. Although it is a constructive and concrete

contribution, in its present wording it is still a schematic framework, with some elements that could be useful in a treaty. Further substance and more precise language are needed.

One positive aspect of this initiative is that the document was the subject of a fruitful interaction among member States of the Conference on Disarmament, which indicates that PAROS could benefit from the establishment of a subsidiary body in the Conference on Disarmament to allow for direct discussions in order to make progress on this item. My delegation would support any initiative you would take in that direction, Mr. President.

Brazil expects the Conference on Disarmament to adopt its programme of work as soon as possible, with the inclusion of a working group on PAROS, in accordance with either of the mandates contained in document CD/1864 or document CD/1889.

Last year, the Conference on Disarmament heard Mr. Frank Rose, who is now Deputy Assistant Secretary of State for Arms Control Verification and Compliance. Mr. Rose presented the new United States national policy. On that occasion, he made an encouraging statement, from which I understood that the United States could support a mandate on PAROS along the lines of document CD/1889, whose proposed mandate is “to discuss substantively, without limitation, not excluding the possibility of multilateral negotiations in the Conference on Disarmament, on all issues related to the prevention of an arms race in outer space”.

The President: I thank Ambassador de Macedo Soares for his statement and give the floor now to the Russian Federation.

Mr. Loshchinin (Russian Federation) (*spoke in Russian*): It is no secret that our absolute priority in the Conference is the prevention of an arms race in outer space. I would like to thank the Ambassador of Brazil for his in-depth analysis of this issue. We think that the conclusions and comments of the Ambassador need to be taken into account by one and all. We would also like to express our gratitude to Ms. Annalisa Gianella for her statement, and in particular our appreciation for the fact that the European Union has said that it is pleased to support the efforts of the Russian Federation and China to place this issue on the international agenda so as to strengthen security in outer space.

The statements made by previous speakers allow me to focus on more specific features of the issue under discussion. The draft treaty submitted jointly with China (document CD/1839) is intended for the adoption of preventive measures against the appearance of new, high-technology, destabilizing types of weapons and the emergence of new areas of confrontation. Placing weapons in outer space could have unpredictable and dangerous consequences for international peace and security. The deployment of weapons in outer space by one State will certainly lead to a chain reaction, which in turn would trigger another arms race both in space and on Earth. We must all realize how volatile such a turn of events might be.

All States have an equal and inalienable right to access, explore and benefit from the use of outer space, and therefore, providing for security in outer space is a task we all share, and we need to work together to find a solution which will serve to strengthen international security and stability. We have no doubt that the treaty on the prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects (PPWT) would be an effective and realistic means of achieving this goal. We are prepared to cooperate very closely with all the member States of the Conference.

We should like to focus on specific practical aspects of the PPWT draft submitted three years ago by the Russian Federation and China. The preamble of the draft contains general provisions on the aims of the proposed treaty. The main aims are to prevent the weaponization of outer space and to ensure security and the undisturbed functioning of

space objects. In the preamble it is noted that existing legal regimes and agreements are unable to effectively prevent the placement of weapons and an arms race in outer space.

The draft treaty contains a number of definitions of terms used in the text. First of all, I would like to draw your attention to the definition of the term “outer space”. “Outer space” is defined solely for the purposes of this treaty as “the space above the Earth in excess of 100 km above sea level”. Since international space law has not yet developed a standard establishing the limit between outer space and the atmosphere, it is proposed under the PPWT to set this limit at the minimum altitude above the Earth of the perigees of artificial satellite orbits, i.e. about 100 kilometres above sea level.

In understanding the fundamental meaning of the draft PPWT, it is of the utmost importance that the term “weapons in outer space” should be correctly interpreted. Article 1 clearly states that for a device to be considered as a “weapon in outer space”, it must be specially produced or converted to carry out the functions listed in the paragraph. Such devices must have these attributes. Other devices, often referred to in discussions as “possible weapons”, including spacecraft intended for peaceful purposes, cannot be covered by this category of weapon since they are not specially produced or converted for these purposes and do not have such attributes. At the same time, the utilization of these spacecraft, which do not have the attributes of weapons, as a means of using force, for example by deliberately colliding them with and destroying other satellites, would be prohibited under the draft treaty.

I would also like to draw your attention to another definition. It is fairly difficult to fully understand at first, and so I will read it slowly: “A weapon shall be considered to have been ‘placed’ in outer space if it orbits the Earth at least once, or follows a section of such an orbit before leaving this orbit, or is permanently located somewhere in outer space.” From this definition it follows for example that ballistic missiles do not fall under the scope of this draft treaty, as their trajectories do not meet these criteria.

It should be noted that the treaty’s provision on the right to self-defence does not leave any loopholes allowing the use of anti-satellite weapons. Although the draft treaty does not ban these weapons as a weapons class, it does limit their spatial proliferation by introducing a comprehensive ban on the placement of any kind of weapon (including anti-satellite weapons) in outer space, and it also prohibits the use for hostile purposes of anti-satellite weapons based anywhere, including on Earth.

A substantial part of the draft treaty proposed by the Russian Federation and China is given over to provisions regulating the activities of the executive organization which will be set up to implement the aims and provisions of the treaty. Let me stress that these provisions represent a general framework. The actual name of the executive organization, its status, its specific functions and working methods may be the subject of an additional protocol to the draft treaty. We are open to dialogue and are willing to carefully consider specific proposals from our partners.

In order to build confidence that the treaty will be observed and to provide for transparency and build trust in space activities, agreed confidence-building measures will be introduced voluntarily. Verification of compliance with the treaty may be the subject of a separate article or additional protocol.

During a number of formal and informal sessions of the Conference on Disarmament in 2008 and 2009, member States set down their positions in respect of the PPWT and asked specific questions on its text. Their questions and the answers to them appeared in document CD/1872, dated 18 August 2009. We hope that during the current session of the Conference we will be able to continue to give focused and constructive consideration to the draft submitted by the Russian Federation and China. Of course, our

delegation would prefer for this to happen within the programme of work of this forum. Thank you.

The President: I thank Ambassador Loshchinin for his statement and give the floor now to Algeria.

Mr. Jazairi (Algeria) (*spoke in Arabic*): The Algerian delegation would like today to take up the question of the prevention of an arms race in outer space. At the outset, we would like to thank our guest, Ms. Giannella, the representative of the friendly State of Hungary, for the highly relevant comments on this topic that she made on behalf of her country in accordance with the rules of procedure of the Conference on Disarmament.

I would like to begin my statement by saying that this issue, which is one of the items on the agenda of the Conference, is of great importance in view of its direct relevance to global peace and security, as well as to our daily lives.

Outer space has an increasingly important impact on numerous areas of economic, social and scientific life. Its impact has also increased with scientific and technological developments, and a climate of security, transparency and trust with regard to activities in outer space is therefore required.

Algeria, which seeks to use outer space to meet its development needs, strongly believes that outer space, which constitutes part of our shared human heritage, must be explored and used for strictly peaceful purposes and only in the interests of all. In order to maintain international peace, stability and cooperation in line with the principles underpinning relevant commitments made and international law, including, in particular, the United Nations General Assembly Declaration of 1963 and the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space for peaceful purposes of 1967.

Such noble principles and objectives will be eclipsed by any kind of arms race or hostilities in space. The fact is that the militarization of outer space raises concerns because of the major risks involved. It could upset balances of power and give rise to a new dynamic in the arms race with potentially grave repercussions for international peace and security, not to mention adverse effects on economic and social life.

In this regard, we would like to recall working paper CD/1893 of 14 September 2010, which was submitted by the Group of 21 and which expresses the Group's concerns about the negative implications of the development and deployment of anti-ballistic defence systems and the pursuit of advanced military technologies capable of being deployed in outer space.

Algeria, like many countries, considers that the current legal framework on outer space has a number of shortcomings and is inadequate to prevent an arms race in outer space. Therefore, a collective effort is required, within the framework of the Conference, to strengthen the existing legal framework and address any deficiencies found therein.

To that end, Algeria supports the establishment of a Conference-level working group, as called for by the General Assembly in its resolution 65/44, on the prevention of an arms race in outer space, which was supported by the vast majority of States. Such a body should be tasked with producing a multilateral agreement that sets forth legally binding and effective international norms prohibiting the deployment of all types of weapons and the threat or use of force in outer space.

As there is currently no consensus on this issue, the terms of reference set out in working paper CD/1864 constitute a good starting point. In this regard, we could draw inspiration from all the efforts and initiatives undertaken in this field.

Like the G-21, Algeria welcomes the initiative by China and the Russian Federation on the prevention of the placement of weapons in outer space and the threat or use of force against outer space objects. Algeria has also taken note of the draft code of conduct prepared by the European Union; although the code may not lie within the purview of our Conference, it does aim to promote transparency and to rationalize all activities conducted in outer space, in particular activities of a civilian nature.

In this regard, we believe that negotiating at the multilateral level is the most appropriate way to establish measures and rules that will address the current concerns of all parties.

The President: I thank Ambassador Jazaïry for his statement. Before giving the floor to Switzerland, I would like to inform colleagues that we have had 4 more speakers added to the list and now have a total of 24. The next five after Switzerland are: China, Sri Lanka, Chile, Argentina and Turkey. Switzerland has the floor.

Mr. Lauber (Switzerland): The space environment has changed dramatically in the past 15 years. The number of State and non-State actors that have access to outer space is increasing rapidly and outer space is becoming increasingly overpopulated as a result. Global utility systems that are to a great extent dependent on satellite installations have also been developed, including, for example, global positioning systems. These systems have become critical infrastructures for developed and developing countries alike and any interruption in system operation would have an adverse impact on their economic prosperity. The military use of space has also increased significantly over this period. Space systems now have a central rather than purely strategic role in the conduct of armed operations. The armed forces' increasing reliance on these systems makes space an alluring target for many players.

The developments that I have just outlined dictate that we must draw up guidelines for the way in which we use outer space today if we are to avoid compromising the potential of this environment.

Most States now appear to recognize the importance and necessity of defining such guidelines. This is evidenced by the numerous initiatives to this end either in progress or in the planning stages. The United Nations Committee on the Peaceful Uses of Outer Space (COPUOS) has established a working group to consider the long-term viability of space activities. This working group has been mandated to develop measures to ensure the safe and viable use of outer space for the benefit of all countries. As our colleague reported this morning, the European Union is working on a code of conduct for space activities that will enhance the security, safety and viability of all outer space activities.

At its last working session, the First Committee of the General Assembly took the decision to establish a group of government experts to look into measures for building transparency and confidence in space activities in 2012. This initiative is of particular importance to us because the mandate of the group of experts is similar to that of the Conference on Disarmament. For this reason, we intend to monitor the development of this exercise very closely and to contribute to it wherever possible.

While welcoming the launch of this process, we think it particularly important that the Conference on Disarmament also has input to the project. Such input is essential since the efforts of COPUOS to shore up the long-term viability of space activities would be to no avail if a conflict were to spread to space. It is therefore crucial that we specify what should be permitted and what should be prohibited with regard to the military use of space. It is primarily the responsibility of the Conference on Disarmament to determine how such guidelines should be drafted. The Conference should take a pragmatic approach to the discharge of this responsibility.

Although the adoption of legally binding measures is the ultimate aim, if we concentrate our initial efforts on the formulation of politically binding measures, these could facilitate progress in the short term.

Transparency and confidence-building measures are another area in which progress should be possible. Switzerland believes that a particular focus of the guidelines should be to prohibit attacks on satellites using direct ascent systems, the placement of weapons in outer space and the use of satellites as weapons for attacking other space objects. The guidelines should also prohibit anti-satellite weapon tests.

We are aware that the development of these guidelines raises numerous further questions and that there is a whole series of issues that still require more detailed study. For example, the notion of the use of force in the context of outer space needs to be defined clearly. The verification issue also remains a major challenge. However, while these points are undeniable, there is also no doubt that our understanding of the problem and our ability to identify the key challenges are far better today than they were just a few years ago. This is because a number of delegations have taken the initiative of submitting working papers on these subjects. In this connection, we would like to extend particular thanks to the Russian Federation, China and Canada for their work in this area.

Although we have been able to consider these working papers in informal discussions only, the discussions have served to highlight the urgency of the problem and have made many capitals aware that a solution needs to be found. For this reason, we think it is important to continue in this direction and to maintain and perhaps even intensify the efforts undertaken to date.

Clearly, our priority is to address these issues in a formal framework under a programme of work adopted by the Conference as soon as possible. In the meantime, the informal process of drafting definitions for inclusion in a fissile material cut-off treaty which certain members of the Conference are about to initiate could provide an interesting model that might also be applied for the prevention of an arms race in space. Given the numerous issues of a technical nature that still require more detailed study in this latter area, we are of the view that similar preparatory work would prove both constructive and fruitful. Switzerland would fully support any member of the Conference that might be in a position to initiate an informal process of this kind.

My delegation hopes, therefore, that the various initiatives undertaken to date will receive follow-up. It intends to support any process which will allow for further advances in this area within the framework of the Conference and to participate fully in any dialogue on this issue.

Thank you for your attention.

The President: Thank you Ambassador Lauber. I give the floor now to China.

Mr. Wang Qun (China) (*spoke in Chinese*): Before discussing outer space issues, I should like to provide, on instructions from my capital, some clarification with regard to the rumour that China has agreed to participate in the side event being organized by Australia and some others to conduct substantive discussions of a fissile material cut-off treaty. I would like to point out that in reality no such thing has taken place, and that such rumours are intentionally misleading. China's position has been consistent and unequivocal: we have always maintained that the Conference on Disarmament is the sole appropriate context in which negotiations on that treaty should be carried out, and that such negotiations should be initiated within the Conference on Disarmament in accordance with the rules of procedure. Proceeding from concern for maintaining the authority of the Conference on Disarmament and its rules of procedure, as well as for ensuring the universal participation of States members of the Conference, China does not endorse the proposal by Australia and

other countries to conduct substantive discussions of a fissile material cut-off treaty in a side event to the Conference, and has no intention of participating in such a side event.

Judging from the last two weeks of discussions, the Conference on Disarmament has made a good start and appears to be following a positive trend. We should value this trend and maintain it, by continuing to work on bridging our differences through consultation on the basis of equality and endeavouring to adopt a programme of work as soon as possible. If we temporarily fail to adopt a programme of work, the Conference can take a cue from the practice of recent years in which we continue to discuss the topics of a fissile material cut-off treaty, nuclear disarmament, the prevention of an arms race in outer space, and nuclear security informally, within the full Conference.

I should now like to discuss China's principled views on the issue of outer space. China has consistently advocated the peaceful use of outer space, and has actively worked on international exchanges and cooperation on outer space. At the same time, China has consistently opposed the weaponization of outer space and an arms race in outer space. In our view, while all countries enjoy the right to the peaceful use of outer space, they must also work together to preserve peace and security in outer space. Currently, as humanity's dependence on outer space continues to grow, the threats of weaponization of outer space and even of an arms race in outer space are also relentlessly increasing. The international community must therefore negotiate a new international legal instrument as soon as possible, one that further strengthens the current international legal system with regard to outer space in order effectively to prevent the weaponization of outer space and an arms race in outer space, as well as maintain the security of outer space. In 2008, on the basis of many years of work in the Conference on Disarmament, China and Russia jointly submitted a draft treaty on the prevention of the placement of weapons in outer space and the threat or use of force against outer space objects, also known as the draft PPWT. In 2009, on the basis of careful consideration of suggestions from all parties, China and Russia submitted an official Conference document (CD/1872) on major issues in and discussion of the draft PPWT, further interpreting problems of definition, scope and verification connected with the treaty. China is of the view that the draft PPWT is an important result of many years of exploration by the international community of ways to resolve the issue of outer space security by means of a legal instrument; we hope that the Conference on Disarmament will launch substantive discussions on this basis as soon as possible, and work to round out and perfect this draft through in-depth discussion, so as to create conditions for the rapid negotiation of an open, reasonable and effective international legal instrument on outer space security.

With regard to outer space transparency and confidence-building measures, China is of the view that appropriate and feasible transparency and confidence-building measures play a positive role in promoting mutual trust on all sides and maintaining security in outer space. Efforts made in connection with such measures must contribute to achieving the general objectives of preventing the weaponization of outer space and of preventing an arms race in outer space. As voluntary measures, outer space transparency and confidence-building measures must not replace or impinge upon efforts to negotiate a new legal instrument on outer space, but must rather beneficially supplement such efforts. China will carefully study the views expressed by all parties in the current discussions, and reserves the right to further express its own views with regard to the issue of preventing an arms race in outer space.

The President: I thank Ambassador Wang Qun and give the floor to Sri Lanka.

Ms. Senewiratne (Sri Lanka): Mr. President, as this is the first time that I am taking the floor under your presidency, I wish to congratulate you on the assumption of the presidency and express my appreciation for the manner in which you have been conducting the discussion at the Conference and the inclusive and transparent manner in which you

have approached this mandate. Sri Lanka acknowledges your initiative to consult each member State of the Conference in an attempt to forge a common understanding to demonstrate the much-needed political will to support the work of this body.

Sri Lanka attaches great importance to the Conference on Disarmament. In order to continue to preserve the unique role of this body, it is vital that the Conference should begin its substantive work on the basis of a balanced and comprehensive programme of work, taking into account the concerns of all its members, thereby ensuring its acceptance by consensus.

We thank the Secretary-General of the United Nations through you, Mr. President, for his address to the Conference on 26 January and note the emphasis he placed on this body recommencing its programme of work. It is my delegation's belief that only through confidence-building and equal respect for the security of all member States will we achieve the much-needed consensus towards the adoption of a programme of work. Consensus is needed not merely as a procedure, but as a practical element in the attainment of international security. Without the engagement of all States concerned, we are practically unable to arrive at our objective of nuclear disarmament and non-proliferation. We urge you, Mr. President, to also seek to advance all the core issues of our draft programme of work instead of moving towards piecemeal negotiations

Sri Lanka recognizes the importance of the usefulness of space-based technologies and supports their use for peaceful purposes. Information, communication, banking and navigation sectors have become dependent on space-based technologies. We are of the view that the exploration and use of outer space and other celestial bodies should be for peaceful purposes and for the common benefit of all countries, regardless of their level of economic or scientific development.

Sri Lanka is one of the core sponsors of the resolution on prevention of an arms race in outer space and has continuously supported this resolution. The growing use of outer space calls for a redoubling of efforts in areas such as transparency, confidence-building and better information on the part of the international community to enable us to make advancements in this field. We believe that prevention of an arms race in outer space would avert a great danger for international peace and security and we recognize the importance of forging ahead, as a matter of priority, with negotiations on an internationally legally binding instrument governing the military use of space.

My delegation commends the joint initiative of China and Russia on the draft treaty on prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects presented in 2008, and welcomes it as a basis for the adoption of an internationally binding instrument. My delegation wishes to associate itself with previous statements made in the Conference on Disarmament in this regard.

Sri Lanka continues to be concerned about the existence of nuclear weapons and about their possible use or threat of use since it poses a threat to humanity. We therefore join the collective voice for the elimination of nuclear weapons from national arsenals. Pending this achievement, we are of the view that there is an urgent need to reach an early agreement on a universal, unconditional and legally binding instrument to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. We encourage nuclear-weapon States to reduce nuclear danger through the de-alerting of nuclear weapons and diminishing the operational readiness of weapon systems. We stand ready to work within the framework of this body towards achieving this objective, as it is our joint commitment and responsibility to our peoples.

Our common objective is to see the world become a safer place. International security architecture in the form of treaties and initiatives exist to help us achieve that objective. While the international community has been active in bolstering that architecture,

it is evident that this needs to be further strengthened. These global challenges require universal solutions. They must take us towards an increase in the pace of multilateral disarmament as well as a reduction in proliferation. It should remain a State-driven, an inclusive process, taking into account the security interests of all States and on the basis of the principle of equal and undiminished security for all. We are of the view that a transparent, sustainable and credible plan for multilateral nuclear disarmament, which would also address proliferation, is necessary in order that both disarmament and counterproliferation could be advanced in a mutually reinforcing manner.

In this context we reiterate the necessity to start negotiations on a phased programme for the complete elimination of nuclear weapons with a specific time framework, including a nuclear weapons convention. We also emphasize the importance of the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and to bring to a conclusion, negotiations leading to nuclear disarmament in all its aspects under strict and effective international control, contained in the Final Document of the 15th Summit of the Non-aligned Movement. We wish to state that this subject should be deliberated with the seriousness it deserves and urge that consensus be arrived at to convene a fourth special session of the General Assembly devoted to disarmament, *inter alia*, to discuss and consider issues and machinery related to disarmament.

In conclusion, I wish to reiterate Sri Lanka's appreciation of your initiative to maintain discussions within the Conference on Disarmament, while recalling that the primary objective should be towards an early consensual adoption of a balanced and comprehensive programme of work. I pledge my delegation's cooperation in constructively working towards this end.

The President: I thank Ambassador Senewiratne for her statement and give the floor now to Chile.

Mr. Oyarce (Chile) (*spoke in Spanish*): The prevention of an arms race in outer space is one of the four main issues of concern before this Conference, and we have to move forward in a constructive way with regard to the implementation of the Conference's mandate. We trust that today's reflections will allow us to initiate preparations for the next phase of substantive work which we hope to continue under the next presidency.

Current reality shows us the extent of our dependence on space activities and services. The weaponization of outer space could have serious consequences that would result in increased insecurity and affect all countries, irrespective of whether they have effective space technology and capabilities. We must prevent the militarization of space. This concern should include a prohibition on using space objects as weapons for destroying other objects in orbit. We must guarantee unrestricted access to a weapons-free outer space as a global public asset which, as the Ambassador of Algeria commented earlier, constitutes a common heritage of humanity.

Various aspects of this issue have been extensively debated in the Conference on Disarmament but, unfortunately, a lack of consensus has prevented us from making concrete progress, especially in negotiating a legally binding treaty. Although we view transparency and confidence-building measures, codes of conduct, unilateral moratoriums and regional initiatives as positive developments, logically they can be no substitute for a legally binding instrument to flesh out the legal regime applicable to outer space. The existing regime is insufficient for dealing with current security problems or addressing future concerns regarding outer space in order to ensure the prevention of an arms race. This was recognized in General Assembly resolution 65/44. Chile supports the idea of negotiating an instrument that explicitly reflects the declaration made by States and includes a cross-cutting consideration of all parameters involved, including the importance

of the peaceful uses of outer space for development and humanitarian purposes. Chile also considers this matter from a human security perspective.

Resolution 65/44 invites the Conference to establish a working group and recognizes the growing convergence of views on the necessity of elaborating measures designed to strengthen transparency, confidence and security in the peaceful uses of outer space. Prevention and the preservation of space assets are a common goal. We believe that an instrument that guarantees the protection of all of them, without distinction, would constitute a confidence-building measure that would strengthen the international security regime.

We value the contributions contained in several initiatives that provide elements which should be taken into account in future work. The working paper on transparency and confidence-building measures and treaty proposals for space security submitted by Canada, the revised draft of the European Union code of conduct for outer space activities, the draft treaty on prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects introduced by the Russian Federation and China, and the working paper CD/1893 submitted by the Group of 21 give us a clear vision of the direction this process should take in pursuit of international security.

It is clear that, as stated in yesterday's side event organized by the Stockholm International Peace Research Institute (SIPRI), there are several concrete critical issues with which we must deal: firstly, the definitions of space attacks, testing and possible weapons; secondly, the difficulties in achieving greater transparency and a clear definition of the distinction among peaceful, civil, commercial, scientific and military uses of outer space; and, thirdly, recognition of the fact that there are military space applications that should not be considered as placement of weapons in outer space. We must accept that such applications could be necessary in the verification process. The provisions related to legitimate defence under international law and article 51 of the Charter of the United Nations also require consideration.

We cannot deny that any test or tentative placement of any type of weapon in outer space will trigger a chain reaction involving an immediate increase in research, development, testing and placement on the part of various countries with space capabilities, as each attempts to claim the lead. For this reason, we share the concerns that this situation raises, primarily because of the destabilizing effect it would have on international security.

We believe that the Conference needs to make every possible effort to begin the process of negotiations to flesh out the international legal regime governing the use of outer space, and I hope that these reflections will contribute to this goal. We also believe that, in order to improve the governance of outer space, it is essential that we overcome the lack of coordination among the three main multilateral frameworks: the Committee on the Peaceful Uses of Outer Space (COPUOS), the International Telecommunications Union and the Conference on Disarmament.

Thank you.

The President: I thank Ambassador Oyarce for his statement and give the floor now to Argentina.

Mr. Peleaz (Argentina) (*spoke in Spanish*): Since my delegation is keen to further the exercise which you suggested should guide our discussions during these plenary sessions, we are taking the floor today to speak on agenda item 3, prevention of the arms race in outer space.

Argentina views the Outer Space Treaty of 1967 as the existing legal regime for the prevention of the militarization of outer space. We, as States members, must therefore make every effort to achieve its full implementation.

Since the development of new technologies is by nature an evolving process, discussions concerning the need to adapt the existing regimes are only to be expected. This is why, when the conduct of States diverges from the objectives and purposes established in the regime governing the peaceful use of outer space, we need to look for alternatives to strengthen it.

Argentina considers the mandate established in paragraph 3 of document CD/1864 extremely useful in that it should enable the Conference to determine whether new international instruments need to be drawn up. On this basis, Argentina stands ready to discuss the content of the draft treaty submitted by Russia and China, having welcomed the circulation of this document in a statement made by its then Minister for Foreign Affairs at this Conference in March 2008. Argentina believes this draft should make a significant contribution to progress towards identifying areas of consensus that might strengthen the existing regime.

The efficacy of any new instrument will clearly be pivotal for realizing the ultimate goal of preventing the militarization of outer space. Questions of definition and scope — for example, the types of weapons covered, and whether both placement and testing are encompassed — and the mechanism to be used to verify any new instrument would appear key to guaranteeing the regime's efficacy. In this regard, already-existing international instruments could prove extremely useful to our progress in identifying any potential areas of agreement which might emerge gradually and sequentially over time.

At the same time, Argentina believes that any measures that might contribute to progress in this direction should be welcomed. The confidence-building measures referred to in General Assembly resolution 63/68 certainly look like being an effective mechanism and could be seen as a first step towards securing an atmosphere of understanding and cooperation that facilitates the prevention of an arms race in outer space. In this connection, we would like to thank the European Union for contributing to the debate by submitting the draft code of conduct. My country is in the process of evaluating this instrument.

Argentina also shares the view that establishing unilateral, bilateral, regional and global information-sharing mechanisms to lend transparency to the space programmes of individual States constitutes a substantive contribution to progress. For example, developing a centralized voluntary mechanism, system or register of space activities within the framework of the United Nations could contribute to increased transparency, while necessarily taking existing notification mechanisms into account.

In recent years the Conference has been engaged in a lengthy process of debate that has been substantively important for our work despite being informal in nature. In the course of this process, including, for example, during events organized by the United Nations Institute for Disarmament Research (UNIDIR), we have come to realize how important it is to be able to draw on the opinions of experts from COPUOS and representatives of the International Telecommunications Union on all issues related to agenda item 3.

Lastly, Argentina believes that any improvement to the weapons control regime, be it in the form of a legally binding instrument or in the form of a code of conduct, should reaffirm rather than undermine the right of all States to use outer space for peaceful purposes in accordance with the legal regime currently in place.

Thank you very much.

The President: I thank the representative of Argentina for his statement. Before giving the floor to Turkey, the next five speakers on the list are: Japan, Republic of Korea, Canada, Pakistan and South Africa. I give the floor now to Turkey.

Mr. Demiralp (Turkey): Mr. President, Turkey's use of outer space has grown significantly over the years; to cite an example, a Turkish company, namely, Turksat Joint Stock Company, currently owns and operates three satellites. These are Turksat 1C, Turksat 2A and Turksat 3A launched in 1996, 2001 and 2008 respectively. Turkey's first satellite, Turksat 1B, which was in service between 1994 and 2006 has now been retired. Work is under way to launch two additional communication satellites, namely Turksat 4A and 4B, probably in 2013.

Turkey relies on these space-based assets for data and voice communication, navigation, broadcasting, cable television and Internet. Naturally, as science and technology develops, the reliance on satellite technology will grow.

In this connection, Turkey attaches particular importance to the peaceful use of outer space. We support the views and proposals to strengthen the existing international legal framework aimed at preventing an arms race in outer space. For Turkey, protecting the right of unrestricted access to and use of outer space for peaceful purposes is more important than the shape and modalities of the discussion.

Turkey is also sensitive to risks posed by space debris. This is an area where we all have to work together in order to establish effective international cooperation mechanisms without further delay. This is urgent. With these thoughts, Turkey supported the resolution on prevention of an arms race in outer space in the First Committee during the sixty-fifth Session of the General Assembly. We see merit in discussing these issues in the Conference on Disarmament.

On the other hand, we co-sponsored the resolution on transparency and confidence-building measures in outer space activities tabled jointly by the Russian Federation and the Peoples' Republic of China, in the First Committee in 2010. Needless to say, we lent our support to the initiative taken by Canada: transparency and confidence-building measures are of particular value for the peaceful use of outer space.

As another transparency and confidence-building measure, Turkey will closely follow the discussions on the revised draft code of conduct mentioned in the statement on behalf of the European Union this morning with which we have associated ourselves.

The presentation by the Russian Federation and the Peoples' Republic of China of the draft treaty on prevention of the placement of weapons in outer space and the threat or use of force against outer space objects in February 2008 enriched our discussions on this issue.

Furthermore, the useful meeting held here recently in Geneva with the participation of the Chairman of COPUOS gave further insight for our discussions. We are of the view that the Conference on Disarmament will and can benefit from increased cooperation with COPUOS.

The problems we are discussing at this session also originate from the dual-use nature of space assets as well the blurred distinction between civilian and military use of outer space. We believe that the Conference on Disarmament and the relevant United Nations institutions responsible for space-related issues should enhance their cooperation. Effective cooperation and coordination will pave the way for establishing the international legal and regulatory framework to facilitate the peaceful use of outer space. At present we must also make the best use of existing transparency and confidence-building measures, for example, the Hague Code of Conduct against Ballistic Missile Proliferation. We encourage subscribing States to abide in particular by the pre-launch notifications of that Code of Conduct.

The President: I thank Ambassador Demiralp for his statement and give the floor to Japan.

Mr. Suda (Japan): Mr. President, I would like to make a brief statement on Japan's position on this issue of the prevention of an arms race in outer space. Japan has been working nationally and internationally to ensure the peaceful use of space and supports the idea of preventing an arms race in outer space. In order to avoid such an arms race, we are involved in discussions on this issue within the Conference on Disarmament and are aware of the various other international forums. Japan is committed to examining and discussing various topics related to PAROS, including the draft PPWT.

Since the dawn of the space age, a vast number of satellites have been launched into space for a host of different purposes, such as communications, environmental, navigation and other beneficial functions. These satellites have played an indispensable role for humanity and make an enormous difference to the daily lives and welfare of all members of the international community. However, this increasing dependence on outer space has led us to confront numerous problems. The most urgent concern is the creation of debris that poses an immense danger to satellite operations and a threat to the space environment and international security. Space debris has many causes, both civilian and military, but while the civilian aspect of debris is being tackled in COPUOS, the military aspect remains unaddressed. From this perspective, we need to advance substantive discussions on how the Conference on Disarmament can promote enhanced space security, in particular through the possible introduction of transparency and confidence-building measures (TCBMs). These measures will contribute, among other things, to creating conditions whereby the production of space debris due to military activities could be avoided.

Japan believes that the European Union draft code of conduct for outer space activities which focuses on both civilian and military operations is an example of an international initiative for effective TCBMs, even though it is outside the work of the Conference on Disarmament. The United Nations General Assembly resolution on TCBMs in outer space activities is supported every year by a great majority of member States. This is another example of an international effort in this area. The Conference on Disarmament can contribute to these international endeavours. Moreover, the Conference could engage in further study on possible measures to effectively ban anti-satellite weapons with a view, inter alia, to preventing the generation of space debris in the future.

I wish to convey my appreciation to the United Nations Institute for Disarmament Research (UNIDIR) for holding a very useful seminar on PAROS every year, which is supported by some member States. I would also like to welcome the side event held yesterday by the Stockholm International Peace Research Institute (SIPRI) on space trends and their security implications. These side events on the outer space issue contribute to the furtherance of our discussions in the Conference on Disarmament.

Mr. President: I thank Ambassador Suda for his statement and give the floor to the Republic of Korea.

Mr. Im Han-taek (Republic of Korea): Mr. President, the Korean delegation attaches great importance to the discussions on PAROS. There seems to be broad consensus that the existing outer space framework needs some improvement in order to address any loopholes: firstly, by improving the implementation and the universalization of the existing international regime; secondly, by developing transparency and confidence-building measures; thirdly, by introducing a new legally binding instrument.

Regarding these three approaches, I would like to emphasize that they are not mutually exclusive, and need to be explored in a balanced and simultaneous way. Indeed, I would like to remind you that we have already seen meaningful progress on all three approaches.

First of all, over the past 50 years after the signing of the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the

Moon and Other Celestial Bodies, in addition to the efforts to build a comprehensive architecture on outer space activities, we have also sought of ways to promote universal adherence to and ensure full compliance with existing agreements and arrangements by space-faring nations, such as the Convention on Registration of Objects Launched into Outer Space and the Hague Code of Conduct. We can see the progress made through the increased number of States parties to those agreements and the raised awareness among States on the obligations they need to perform in outer space activities.

Secondly, transparency and confidence-building measures are highly important elements in ensuring multilateral cooperation for the peaceful uses of outer space. In this regard, there is an urgent call to build up transparency and confidence among the major powers when it comes to the use of outer space, both in the absence and presence of strategic motives, including the pre-notification of any launch or test of objects in outer space. In this regard, we take note of the endorsement of the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space by the General Assembly in its resolution 62/217. My delegation also appreciates the approval of the draft code of conduct for outer space activities, by the Council of the European Union in 2008, as a concrete step towards enhancing TCBMs.

Lastly, with regard to the efforts to seek a new legally binding instrument, my Government welcomes the draft treaty on prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects put forward by the Russian Federation and China, as a meaningful basis for discussions in the Conference on Disarmament. My delegation believes the draft PPWT will contribute to our exploration of the complex and abstract concepts related to outer space. In this regard, we look forward to starting the review of the draft to get a clearer picture of member States' various views on the issue. Mr. President, we cannot dismiss any one of these three approaches. We believe that a pragmatic and step-by-step approach in each of these three areas is the most viable option at this stage.

As this is my last statement at this plenary meeting as head of my delegation to the Conference on Disarmament, please allow me to say briefly a few words of farewell. It has been a pleasure and an honour for me to participate for the last two and half years in the Conference – the cradle of so many important agreements on disarmament. Through discussions, formal or informal, I have come to understand the gravity and the delicacy of the disarmament debate. Yet, unfortunately, the Conference on Disarmament has failed to yield any meaningful legal agreement and the prospect of any agreement is as bleak as ever. The problem is not that we do not know the possible solutions, but that the Conference on Disarmament appears to be losing its own internal dynamics to reach an agreement.

It is all the more strange to me to see the enthusiasm in this room evaporate all of a sudden, particularly since the adoption of the programme of work two years ago. It is unfortunate that the Conference on Disarmament is not able to move forward. Different States may have a different assessment on where the Conference stands now. However, I assume that after a decade of shadow-boxing, the Conference is down, but is not out yet. There are still chances we can get the Conference up and running, but it is up to the Conference on Disarmament members, and only through the exercise of sensible collective responsibilities among members.

I will refrain from proposing another solution, I would just like to express my sincere hope the Conference on Disarmament will turn over a new leaf instead of turning into a white elephant. Even though I am leaving Geneva without witnessing the start of negotiations, I earnestly hope to hear the good news in the near future. Since we are all in the small diplomatic world, I look forward to meeting many of you at other forums. I wish you all every success in your future endeavours and good health. Let me finish by

extending my delegation's deep appreciation to the secretariat and also the interpreters for their hard work behind the scenes.

Mr. President: Thank you, Ambassador Im Han-taek for your statement. I take this opportunity to thank you for your very positive contributions, both personal and professional, not only to the work of the Conference on Disarmament, but in terms of your wonderful collegial spirit over the last two and a half years. I wish you well for your next assignment and, when we meet, I hope some of us will have positive news to give you about the next steps of the Conference on Disarmament. I now give the floor to Canada.

Mr. Gartshore (Canada) (*spoke in French*): It is not an exaggeration to say that the security problems we need to address in outer space are becoming more and more complex each year. Canada is convinced, therefore, that the debate on the prevention of an arms race in space should resume as soon as possible, within the framework of the Conference on Disarmament.

The peaceful use of outer space is crucial to our day-to-day lives. From communication to navigation, environmental monitoring to sustainable development, scientific exploration to national security, the use of outer space is increasingly part of our everyday world. The number of satellites and the number of people benefitting from them keep rising. It is important to note, however, that the amount of debris in outer space is also rising. It is clear that the sustainable use of space is both everybody's business and everybody's responsibility.

Canada notes the importance of the work carried out by the International Telecommunication Union (ITU) and the Committee on the Peaceful Uses of Outer Space (COPUOS). Canada is particularly pleased that the COPUOS working group tasked with examining the long-term viability of space activities has begun its work. Canada also notes the positive example provided by commercial satellite operators who cooperate and share sensitive information in order to ensure efficient space traffic management and alleviate the debris problem. Canada applauds these efforts and continues to advocate practical initiatives aimed at increasing transparency, cultivating confidence and ensuring sustainable use of outer space.

Canada also welcomes the European Union's efforts to draft a code of conduct for outer space activities. Although the document is not due to be discussed in the Conference on Disarmament, it constitutes an important advance towards defining general principles for the continuing and sustainable use of outer space.

(*spoke in English*)

Mr. President, Canada recognizes the need for further work related to the security of outer space, as mentioned in paragraph 4.5 of the European Union draft code of conduct. While this and other work on the environmental, commercial and civil dimensions of space is important in its own right, Canada remains convinced that the long-term sustainability of space will remain in jeopardy unless the security dimensions of outer space are fully addressed. The Conference on Disarmament is clearly the appropriate forum to address the issue of security in outer space and therefore has an important mandate. With the goal of ensuring the sustainable use of outer space for peaceful purposes and of enhancing the individual and collective security of all nations, Canada proposed transparency and confidence-building principles in document CD/1865 of 2009. This proposal encouraged States to declare that they will not place weapons in outer space, use satellites themselves as weapons or test or use weapons on satellites to damage or destroy them.

While Canada is in favour of negotiating a treaty on outer space security, we are well aware of the difficulties of doing so at this time. Nevertheless, Canada believes that a declaratory proposal, such as that put forth in document CD/1865 could significantly

contribute to confidence-building in its own right. At the same time, setting out clear principles for responsible behaviour in space would also furnish elements for an eventual treaty on space security. We urge member delegations to give thoughtful consideration to this proposal. Canada stands ready to discuss this — and other confidence-building measures — in the appropriate forums.

All nations have the right to access and to use space for peaceful purposes. We expect many more States and commercial actors will increase their space activities in the course of the twenty-first century. However, if we are unable to ensure that space will be secure from physical threats, then conflict could well imperil the long-term and sustainable use of outer space for all and render outer space unusable for a very long time.

It is therefore imperative that we take the initiative and exercise preventive diplomacy. Ultimately, PAROS is not only about arms control, it is also an initiative on how to ensure that physical conflict and its consequences will never take place in outer space.

The President: I thank the representative of Canada for his statement and give the floor now to Pakistan.

Mr. Akram (Pakistan): Mr. President, allow me first to bid farewell to our colleague, the Ambassador of the Republic of Korea. It is with regret that we have learned about his departure from Geneva and will miss his constructive contribution to our work. We wish him every success in his future endeavours.

The world has witnessed tremendous growth in space technology. Never before was outer space so intricately linked to our daily lives as it is today. Information, intelligence, banking, communication, economic transactions, navigation, as well as strategic and political decision-making are ever more dependent on the usage of space-based dual-use technologies. Consequently, we are witnessing a rapid growth in our capabilities to exploit outer space. This growth has all the potential to lead to weaponization if we do not take preventive measures. Space must remain a peaceful territory and the only way to ensure that is to prevent its militarization and weaponization.

Last year, courtesy of the seminars on outer space organized by UNIDIR, we became more aware of the need to preserve the tranquillity of outer space. The Charter of the United Nations obligates all States not to use or threaten to use force in international relations, which includes the Member States' activities in outer space. The existing regime comprising the 1967 Outer Space Treaty and the 1979 Agreement governing the Activities of States on the Moon and Other Celestial Bodies has gaps that can only be addressed by a new legal instrument.

As in previous years, in 2010, General Assembly resolution 65/44 once again recognized that “negotiations for the conclusion of an international agreement or agreements to prevent an arms race in outer space remain a priority task of the Conference on Disarmament”. The resolution further stated that the Conference on Disarmament has the primary role in these negotiations and noted that there were no objections in principle in the Conference on Disarmament to the re-establishment of an ad hoc committee to negotiate a treaty on the prevention of an arms race in outer space, subject to re-examination of the mandate contained in the decision of the Conference on Disarmament of 13 February 1992.

The Conference on Disarmament, therefore, has an obligation to commence negotiations on a legally binding instrument to ensure the prevention of an arms race in outer space. In this regard, our work does not need to start from scratch. Substantial work was done in the Conference by ad hoc committees on PAROS from 1985 to 1992; moreover, the draft text tabled by Russia and China, commonly known as PPWT, provides

a useful basis to commence negotiations. The delegation of Pakistan does not therefore see any impediment in commencing substantive work in the Conference on Disarmament on this agenda item. Member States which consider these negotiations as contrary to their national security concerns should share their views openly in the Conference on Disarmament and assume their responsibility in preventing the Conference from commencing substantive work on this core agenda item.

As regards the proposals on the utility of a code of conduct or transparency and confidence-building measures, these are useful interim measures and must be explored to bring order in outer space. However, they cannot and should not obviate the quest for a legally binding treaty on PAROS in the Conference on Disarmament.

The President: I thank Ambassador Akram for his statement. Before giving the floor to South Africa, the next five speakers on the list are the following: Cuba, Islamic Republic of Iran, Serbia, United States of America and United Kingdom. South Africa, you have the floor.

Mr. Combrink (South Africa): Mr. President, thank you for giving me the floor and for the opportunity to engage in an exchange of views on possible measures to prevent an arms race in outer space. The debate of the last week on two of the other core issues on our agenda, nuclear disarmament and fissile material, has once again illustrated the commitment of the vast majority of members of the Conference on Disarmament to substantive work that would enable the Conference to execute its primary mandate as a multilateral disarmament negotiating forum. It is our hope that this plenary debate will provide the necessary impetus for the commencement of negotiations aimed at the conclusion of instruments that would strengthen international peace and security and the establishment of a more democratic, equitable and just multilateral system of governance.

In an effort to explain the current impasse in the Conference on Disarmament, some members continue to argue that the Conference cannot be divorced from international and regional security realities. While we concur with the view that the Conference on Disarmament does not operate in a vacuum, we strongly disagree with the notion that such realities constitute a basis for inaction by the Conference, implying that we have to wait for such external complications to be resolved before we can take action. The Conference should not be a victim of international and regional security realities. It is, in fact, a vehicle that can shape a new reality through multilateral negotiations and the adoption of appropriate international instruments.

In our view, the rules of procedure of the Conference, particularly the consensus rule, were never intended as a veto right to stop the Conference on Disarmament from dealing with issues on its agenda, but rather to facilitate negotiations among less than equal partners through a set of rules providing the necessary assurance that the vital national security interests of all negotiating parties would be adequately protected.

While the other three core issues on the Conference agenda are all aimed at addressing the consequences of or finding a cure for the development of a specific type of weapon, whether it be nuclear weapons or the abuse of scientific advancement for non-peaceful purposes, agenda item 3 is focused on introducing preventive measures to ensure that an arms race in outer space does not become a reality.

Some arguments have been advanced in the Conference on Disarmament to the effect that an arms race in outer space does not exist at present. Some proponents of these arguments maintain that it is therefore premature to focus on issues related to the weaponization of outer space. While we welcome the general pledge not to allow space to become the next theatre of war and conflict, it is clear to my delegation that the weaponization of outer space by one player would most probably prompt others to do the same – which may well lead to an arms race in outer space. If we wait for space to become

weaponized before we take action, it will not be long before we have to find yet another cure for something that could have been prevented – the proliferation of weapons in outer space. My delegation believes that this should and can be prevented if we take action now.

South Africa has already expressed its concern in various international forums about developments that could prompt a new arms race on Earth and in outer space. We have also cautioned against any action that could lead to the weaponization of outer space. It is for this reason that South Africa remains supportive of the establishment in the Conference on Disarmament of a subsidiary body that would address the prevention of an arms race in outer space. While recognizing the many contributions that have been made to the debate, my delegation particularly appreciates the efforts of the Chinese and Russian delegations and their ideas on moving the process forward.

In conclusion, my delegation hopes that we will be able to build upon today's debate and move towards the adoption of a programme of work that would allow the Conference on Disarmament to deal substantively with the prevention of an arms race in outer space, including the possibility of negotiating an international instrument on the matter. We welcome the flexibility shown by most delegations that could facilitate the adoption of such a programme of work and reiterate our appeal to all members to set aside their differences so that substantive work can commence on this important agenda item.

The President: I thank the representative of South Africa for his statement. I made a mistake concerning the speakers' list and have to put observer States after member States. The speakers' list as I have it is therefore: Cuba, Islamic Republic of Iran, United States of America, United Kingdom and Belarus. I give the floor to Cuba.

Mr. Quintanilla Román (Cuba) (*spoke in Spanish*): Outer space and celestial bodies are a common heritage of humanity and should be used, studied and exploited for the benefit and in the interests of all people in a spirit of cooperation.

Outer space and celestial bodies should be explored and used for peaceful ends for the benefit and in the interests of all countries, irrespective of the extent of their economic and scientific development. Ever-growing use of outer space heightens the need to adopt further transparency and confidence-building measures and ensure that the international community is better informed.

Cuba reiterates its concerns regarding the adverse effects of the development and deployment of anti-ballistic missile defence systems and the threat of the use of weapons in outer space. Over the years, preventing an arms race in outer space has become a global call for action, in view of the serious threat that an arms race would constitute for international peace and security.

The legal instruments concluded by the international community in this area must be respected. These instruments have made a positive contribution to the promotion of the peaceful use of outer space and the regulation of space activities. They have also played an important part in prohibiting the deployment of weapons of mass destruction and certain other military activities in outer space. However, still greater advances are needed in this area. Cuba is in favour of the immediate establishment of a special committee within the Conference on Disarmament to begin negotiating an instrument for the prevention of the weaponization of outer space.

Multilateral agreements on disarmament are the mechanism that ensures that States consult each other and work together to resolve any problem that might arise in relation to the objectives established in the provisions of such agreements or to their application, and that this consultation and cooperation may also be effected through appropriate international proceedings within the framework of the United Nations and in accordance with the Charter.

Thank you very much.

The President: I thank the representative of Cuba for his statement and give the floor to the Islamic Republic of Iran.

Mr. Daryaei (Islamic Republic of Iran): Mr. President, let me express our satisfaction at the manner in which you are guiding the Conference and with your efforts to abide fully by the rules of procedure of the Conference. It is commendable that you acknowledge the importance of the Conference on Disarmament as the single multilateral body for disarmament negotiations. I am sure that you would not allow some efforts aimed at elusive achievements to undermine the credibility of this important body. In discharging this function I assure you of the full cooperation of my delegation.

The Islamic Republic of Iran has always had a consistent and clear position regarding outer space. In its view, outer space is part of the common heritage of mankind and must be used, explored and utilized for peaceful purposes and for the benefit and interest of all mankind in a spirit of cooperation. The role of space technology in our daily life is fairly clear and is becoming increasingly indispensable. Every effort should be made to secure the use of outer space solely for the purposes of the well-being and prosperity of all nations around the world.

As a space-faring nation, the Islamic Republic of Iran has consistently supported the prevention of an arms race in outer space and is of the firm view that every effort should be made to keep outer space free of any weaponization or arms race. I see merits in the view that a coherent and coordinated approach between the Conference on Disarmament, the General Assembly and COPUOS is required with regard to the peaceful use of outer space.

We are fully aware that space technology can have many peaceful benefits and can be utilized to overcome the many challenges that we are facing now relating to communications, development, the environment, education, medicine, natural disasters and risk reduction. The United Nations Millennium Development Goals re-emphasized and provided a useful approach to space development for the next generation. We should thus pave the way for the next generation to fully incorporate the use of space and to ensure that the Millennium Development Goals are met, especially in the developing countries. We ask all countries to respect the global heritage of all mankind by making the environment safe and secure for all human beings.

The goal of space security should be to secure and sustain freedom in space for all. A serious threat to the peaceful uses of outer space is the development of anti-satellite weapons and anti-ballistic missile systems. Technologies developed for missile defences have many applications that pose a potential threat to space-based assets. This threat would be doubled if some countries develop their complicated space-to-Earth strike capability. Seeking dominance of space is a misapprehended, self-defeating route to space security. It took several decades of arms race during the cold war for the nuclear powers to realize that a nuclear war could not be won. We should not replicate the past with regard to space. For strategic and military dominance in space, a State would need to develop a complicated space weapons programme. This would include planning for a space war and would therefore give rise to an arms race. Weaponizing space will not bring security to the State concerned.

Given the growing number and diversity of actors in space and the rapid growth of technologies, other key challenges include protecting the operating environment, particularly in respect of preventing space debris in order to mitigate the risk of collision. Space debris is an indiscriminate threat for all space-faring nations and all space users. It should be remembered that the international guidelines agreed by COPUOS are only a confidence-building voluntary measure and do not create a legally binding obligation to regulate this important issue. It should also be noted that an increase in the number of actors

in space will require a much more internationally legally binding obligation for cooperation, regulation and transparency. It is therefore vital for the interest of all nations to pursue negotiations on legally binding instruments to ensure security in space; it would address the interests of all by applying common rules to all actors.

From our point of view, the current legal framework regulating this issue is not sufficient to deal with all the security matters relating to outer space. The existing proposal for a code of conduct and other proposals of that ilk merely provide some form of coordination in the field of voluntary confidence-building measures and are inadequate for meeting the requirements of overcoming the challenges at hand. There is a need for legally binding arrangements to keep outer space free from any weaponization and arms race. The draft PPWT presented to the Conference by Russia and China in 2008 is a positive step that deserves further consideration.

My delegation is fully prepared to work with the Conference on Disarmament on possible ways to secure the use of outer space solely for peaceful purposes and for the prevention of an arms race in outer space. We support the start of negotiations in the Conference on Disarmament on the conclusion of a legally binding treaty to ban the possibility of an attack from space or a war in space, and to prevent the weaponization of space. Such a legally binding instrument should increase the security of all nations, and establish the necessary requirements for the peaceful uses of space. Many countries, including my country, rely on space security and a weapon-free space environment as a prerequisite for their development.

The President: I thank the representative of the Islamic Republic of Iran for his statement and give the floor now to the United States of America.

Ms. Kennedy (United States of America): Mr. President, let me add my voice to others commending you for facilitating this very useful discussion on space policies.

The United States released its own National Space Policy last June which envisages that the United States will pursue pragmatic and voluntary confidence-building measures to strengthen stability in space by mitigating the risk of mishaps, misperceptions and mistrust. The National Space Policy has recently been augmented by our National Security Space Strategy, which we issued on 4 February to implement the National Space Policy, and which is also premised on the interests of all space-faring and space-using nations in a safe, stable and secure space environment. The National Space Strategy recognizes that space has become increasingly congested, contested and competitive, and seeks to address these challenges by promoting the responsible, peaceful and safe use of space in partnership with others. Above all, we recognize that all States are dependent on the peaceful use of outer space. We, of course, are strong supporters of the 1967 Outer Space Treaty, which I believe a colleague alluded to earlier.

We listened with great interest to the presentation today by Ms. Giannella. Consistent with our National Space Policy, we are continuing to consult with the European Union on its initiative to develop a comprehensive set of multilateral TCBMs and a code of conduct for outer space activities to strengthen stability in outer space. We hope to make a decision in the very near term as to whether we can sign on to this code, including, whether we believe any modifications might be necessary in order to adhere to it.

We also look forward to working with our colleagues in the international community in the Group of Governmental Experts, which was established by General Assembly resolution 65/68 during the sixty-fifth Session of the General Assembly. It is our hope that the GGE will serve as a constructive mechanism to examine voluntary and pragmatic TCBMs in space.

Our National Space Policy stipulates that the United States will consider space-related arms control concepts and proposals that meet the criteria of equitability and effective verification and which enhance our own national security allies. We continue to support the inclusion of a non-negotiating (discussion) mandate in any consensus-based programme of work under the agenda item on PAROS – a position to which our distinguished Brazilian colleague alluded.

We also listened with great interest to the comments of our distinguished Russian and Chinese colleagues today who spoke of their draft PPWT. Unfortunately, we still believe that the PPWT does not meet the criteria of equitability and effective verifiability set out in our National Space Policy. Our position on PPWT, which was outlined in document CD/1847 is consistent. We believe that this treaty is fundamentally flawed and does not provide a basis for a negotiating mandate in the Conference on Disarmament for a binding arms control agreement. We offered a comprehensive analysis of that viewpoint and would be delighted to recirculate it as a further contribution to our discussion.

Let me just allude to a few points. The draft PPWT does not contain prohibitions on the testing or deployment of terrestrially-based anti-satellite weapons, for example, of the kind that China itself tested in January 2007 that generated nearly 3,000 pieces of space debris. The draft treaty is also not effectively verifiable, which both Russia and China acknowledged in document CD/1872. It does not include an integral, legally binding verification regime for effectively monitoring compliance with its obligations.

Mr. President, let me take the opportunity to commend, as Ambassador Suda did, the excellent side event on space which SIPRI organized yesterday and also to call attention to the UNIDIR space conference in April. Such side events are valuable accompaniments to our work here in plenary, as my Swiss colleague, Ambassador Lauber, also indicated.

These side events, similar to those on FMCT, which are being organized by Australia and Japan, are not negotiations; they are not intended to undercut the Conference on Disarmament, but very much to the contrary, to enrich, complement, and facilitate its work. We look forward to participating in all such side events or informal discussions dealing with the various aspects of our work here in the Conference and we certainly hope that other member and observer States will share a similar intellectual curiosity about all of these important issues.

Let me conclude, by bidding a fond farewell to Ambassador Im Han-taek and to thank him for his contributions to our work here.

The President: I thank Ambassador Kennedy for her statement and give the floor now to the United Kingdom.

Ms. Adamson (United Kingdom): Mr. President, I want to join my South African colleague in thanking you for giving us the opportunity to have such substantive discussions over the last two weeks on the four core issues. I think we have all valued the chance to really get into some substantive exchanges.

The United Kingdom thinks that it is very important to view this Conference on Disarmament discussion on PAROS in its broader context, taking into account activities taking place on the issue elsewhere. We believe that the Conference can play a useful role in increasing our understanding of, and views on, issues related to this topic.

Ms. Giannella already mentioned earlier today our concerns about some aspects of the draft PPWT which is on the table. I want to make clear that we appreciate the efforts by Russia and China to put forward this draft focusing on international security; however, we believe that further reflection and work is required on the elements for an effective treaty. An effective and robust verification system must be an integral part of any future treaty

concerned with space security. An effective treaty would also need to address the issue of anti-satellite weapon tests.

The United Kingdom has consistently supported General Assembly resolutions on PAROS. A First Committee resolution on transparency and confidence-building measures in outer space, which was ultimately adopted as General Assembly resolution 65/68, has mandated a United Nations group of governmental experts on TCBMs in outer space to begin work in 2012. We welcome the announcement of the new United States National Space policy, which we were briefed about in this chamber last year. Thus our work here does not take place in a vacuum.

I would like to say a word about the European Union draft code of conduct for outer space activities. The United Kingdom attaches great importance to the work that the European Union is taking forward on the draft code of conduct. I wish to underline in particular our support for the European Union's commitment to promoting international cooperation in the field of the free exploration and use of outer space for peaceful purposes by all States. The United Kingdom shares the commitment to the development and implementation of transparency and confidence-building measures as a means to achieve concrete, rapid and enhanced safety and security in outer space.

The draft code of conduct is not the only such initiative, it is not in competition with other initiatives, and it cannot cover every space issue. However, the United Kingdom believes that the European Union's code of conduct offers a real opportunity to create effective rules of the road in a relatively short period of time. It would be voluntary and open to all States as a means of endorsing best practices between space actors. It would be a tool to strengthening the safety, security and predictability of all space activities, which would limit or minimize harmful interference, collisions or accidents in outer space.

The European Union is continuing to consult widely in preparation for the draft code; the United Kingdom stands ready to support that interaction in any way it can, both here in Geneva and elsewhere. While we do not yet have a vintage to offer with the name code of conduct on the bottle, we are ready to invite people to continue discussion on outer space issues either in plenary or to share a cup of tea with us.

The President: A cup of tea – we must be getting close to lunch time! Before giving the floor to Belarus, the last speakers that I have on my list are: India, Egypt, Indonesia and Serbia. I give the floor to the representative of Belarus.

Mr. Ponomarev (Belarus) (*spoke in Russian*): Ensuring security in outer space is one of the key international security issues. Space activities are intricately linked to many sectors of human activity and have a direct impact on the stable development of States and on people's welfare.

We believe that preventing an arms race in outer space is now even more important than it was 30 years ago. In recent years we have seen that compliance with existing international legal instruments governing the activities of States in outer space is insufficient to ease tensions and restore trust between States. We need clear and transparent rules of the game for outer space.

A number of important initiatives have already been put forward in this area. The unilateral declaration by certain countries of a moratorium on the first deployment of weapons of any kind in outer space is certainly contributing to ensuring security in outer space.

The United Nations General Assembly resolutions referred to today, 65/44, on prevention of an arms race in outer space (PAROS) and 65/68, on transparency and confidence-building measures in outer space activities, have sent important messages to the international community. We are convinced that the establishment of the group of

governmental experts will bring a further contribution to the substantive and comprehensive discussion of this issue.

We support the development of regional initiatives on this subject, such as the draft code of conduct for outer space activities of the European Union. It is our hope that this code will become an effective tool not only regionally, but also globally.

At the same time, we believe that neither unilateral moratoriums nor regional initiatives on confidence-building measures can replace a universal, legally binding treaty to prevent the possible deployment of weapons in outer space. We need additional guarantees for the peaceful exploration and development of outer space. As proponents of a preventive approach, we believe that the international community should take all possible steps to finalize a treaty preventing the weaponization of outer space before the deployment of weapons in near-Earth space becomes a reality.

As was rightly pointed out by a number of delegations today, such efforts should be focused here in the Conference on Disarmament. In this vein, we support the initiative submitted by the Russian Federation and China in 2008 to discuss a draft treaty on the prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects (PPWT). Our delegation was actively involved in the Conference's informal discussions on this draft treaty. It is our belief that, despite the large variety of views of what shape the treaty should take in terms of legal regulations and definitions, the discussion has helped to improve our understanding of the subject. We are convinced that the conclusion of a multilateral, non-discriminatory and legally binding PPWT is in the interests both of States which already have substantial capacity in space, and of those which are on their way to having such opportunities. Thank you.

The President: I thank the representative of Belarus for his statement and give the floor now to India.

Mr. Rao (India): Mr. President, PAROS has been on the agenda of the Conference on Disarmament since 1982 and India has consistently supported addressing the issue in the Conference. The importance of doing so has been reinforced by the recent dramatic increase in the peaceful use of outer space as well as international cooperation in outer space. I need not belabour how the use of outer space-based assets has revolutionized broadcasting, telecommunications and weather forecasting for the benefit of all. Outer space is indeed a new frontier for both developing and developed nations.

The Indian Space Programme has always integrated advances in space technology and applications with national development goals. Recently, Antrix Corporation, the commercial arm of the Indian Space Research Organization was conferred the Globe Sustainability Research Award 2010 for demonstrating the use of space technology and information technology at grass-roots level through a watershed development programme. The work horse — a Polar Satellite Launch Vehicle — in its sixteenth successive flight, in July 2010, placed CARTOSAT-2B and four auxiliary satellites, including one from Algeria and two from Canada into their respective orbits. With the launch of Chandrayaan-1, the Indian Space Programme has entered the space exploration phase. Chandrayaan-1, with many international payloads, including from the United States, was instrumental in establishing the presence of water and hydroxyl molecules on the lunar surface.

A follow-up lunar mission, Chandrayaan-2, will be developed in collaboration with Russia. This illustrates the importance we have placed on international cooperation in space activities, including cooperative approaches to scientific challenges, international frameworks for utilization of outer space for peaceful purposes and sharing expertise and services, especially with other developing countries for capacity-building.

Any survey of current activities in outer space will illustrate the breadth and pace with which outer space is becoming an essential element of national and international endeavours. As this global common gets more crowded with the rapid development of technology, it becomes natural to ask if the present international legal framework on outer space as devised at the dawn of the space age more than three decades ago is up to the challenge today and into the future.

India has been against the weaponization of outer space – a common heritage of mankind. We believe that it is imperative to preserve and promote the benefits flowing from advances made in space technology and its applications. Achieving this objective will require a step-by-step process wherein legal measures are complemented with transparency and confidence-building measures and arrangements that are non-discriminatory and have broad international acceptability. Given the global dimension of space activity, ad hoc and partial arrangements cannot be the way forward. Outer space should not become an arena of competitive policies, but a new and expanding frontier of cooperative activity. This places a responsibility on space-faring nations to contribute to international efforts to advance the step-by-step process by achieving legally binding measures complemented by TCBMs.

We support international efforts to reinforce the safety and security of space-based assets and to prevent the placement of weapons in outer space. While non-discriminatory and universally acceptable TCBMs could be useful complementary measures, our objective should be the negotiation of legally binding instruments that enhance security in space for all space users. Here in the Conference on Disarmament our first priority is to agree on a programme of work that allows us to commence substantive work, including negotiations, inter alia, on PAROS in a subsidiary body of the Conference on Disarmament. Once that happens, there are a number of proposals, including for a draft treaty, which can be considered further.

Let me conclude by bidding farewell to Ambassador Im Han-taek. He has been a good friend and we will miss him professionally and personally as a friend. I wish all the best to him and his family.

The President: I thank Ambassador Rao for his statement and give the floor now to Egypt.

Mr. El-Atawy (Egypt): Mr. President, Egypt recognizes the crucial importance of outer space for our modern societies and way of life. Everyday applications that we now take for granted would not be available if outer space became inaccessible. Understanding this, Egypt had been at the forefront in pushing for the prevention of an arms race in outer space and, in this context, Egypt and Sri Lanka have alternately been submitting to the General Assembly a resolution on prevention of an arms race in outer space. The cornerstone of such a resolution is the consideration of outer space as the common heritage of humankind. It is a public good that we are all benefiting from and we should all maintain, while preventing any one country or group of countries from spoiling this common good for the world community. Therefore, any deployment of arms in outer space would constitute a real danger to the world.

We do recognize that there are a multitude of aspects of outer space. Some of them deal with the useful uses of outer space, such as in the field of telecommunications which concern the International Telecommunication Union or other peaceful uses which concern COPUOS in Vienna. However, the arms race aspect of outer space is not any less important and it needs to be addressed. It is within this context that the Conference on Disarmament is uniquely posed to deal with such challenges as the single multilateral disarmament negotiating body. This challenge is facing us all and, as such, has to be dealt with in a truly multilateral process rather than unilateral, bilateral or plurilateral efforts. Indeed, the prevention of an arms race in outer space does not require or indeed does not deserve our

unfettered attention and not only owing to its importance; it also requires our immediate attention. We have seen with nuclear weapons that it is much easier to prevent an arms race from happening rather than trying to control it and rolling it back after it starts.

I referred earlier to the General Assembly resolution on PAROS. Its regular adoption, with near unanimity, shows that indeed PAROS is — to use the often abused metaphor — ripe for negotiations in the Conference on Disarmament. Only two countries from the General Assembly abstained on this resolution, and I would like to seize this opportunity to call upon them to join the world community in voting for this resolution and commencing negotiations in the Conference on Disarmament on a legally binding verifiable treaty on the prevention of an arms race in outer space. Indeed, we even have a draft presented by the Russian Federation and China that can serve as a basis for negotiations and would be without prejudice to the final outcome.

In the context of negotiations on a legally binding international instrument on PAROS, allow me to make a few comments on some of the misperceptions. First, the existing legal framework is not enough: there are many elements that are not covered by existing treaties. A new legally binding treaty is needed to prohibit not only the placement of any kind of weapon in outer space or celestial bodies, but also prohibits any Earth or space-based weapons that target satellites, including anti-satellite weapons.

Second, while the sustainable management of space is a noble cause and the threat of debris generating accidents is real, the threat of an arms race in outer space is equally real and deserves our full attention. We can trust our colleagues in Vienna to deal with the peaceful uses of space, while we occupy ourselves here with concluding a treaty that would prevent what can spoil any agreement on such peaceful uses by transforming outer space into a battlefield.

Third, TCBMs are welcome, but as complementary to and not as a replacement for a legally binding instrument, just as with any other field of disarmament where States cannot be satisfied with loose TCBMs, but seek the confidence and reliability of legally binding treaties.

Fourth, verification is possible, just as positions on the ability, or rather inability to verify a fissile material treaty was reversed in recent years, including by the recent UNIDIR studies showing that an outer space treaty could also be verified.

Fifth, the weaponization of outer space is not the same as the militarization of outer space. While there are “legitimate” military uses of outer space — specifically communication and navigation — placing weapons in outer space and targeting satellites threatens the mere utilization of outer space, thus indiscriminately affecting the world community as a whole. I would also like to point out that the same differentiation between the “legitimate” use of fissile material other than weapons for military purposes is being argued for exclusion from any fissile material treaty and seems to be applying to PAROS.

Lastly, allow me to stress that any treaty on PAROS must be universal, verifiable, equitable and have the same obligations and benefits for all member States. This can and should be done.

The President: I thank the representative of Egypt for his statement and give the floor now to Indonesia.

Ms. Djajaprawira (Indonesia): Mr. President, there is no doubt that the issue of an arms race in outer space is a matter of crucial importance that requires immediate discussion by the Conference on Disarmament. Indeed, we must be determined in our efforts to prevent an arms race in outer space from occurring.

Indonesia reaffirms that the Conference on Disarmament is the sole forum for multilateral disarmament negotiations and must discuss this particular matter and focus on finding ways to avoid an arms race in outer space. The prevention of an arms race in outer space has assumed greater urgency in the light of legitimate concerns that existing legal instruments are inadequate to deter the militarization and weaponization of outer space.

In this regard, I would like to recall that Indonesia, together with China, Russia, Viet Nam, Belarus, Zimbabwe and the Syrian Arab Republic, presented a working paper (CD/1679), dated 28 June 2002, which outlined the possible elements for a future international legal agreement on the prevention and the deployment of weapons in outer space and on the threat of use of force against objects in outer space. I do believe that this working paper still has its relevance to the item under discussion.

Indeed, transparency of norms, TCBMs, codes of conduct and a voluntary mechanism are also important complementary elements for any future international legal instrument to prevent the weaponization of outer space. As far as the international legal instrument is concerned, we welcome the joint Russian-Chinese initiative, as contained in document CD/1839, for a draft PPWT. We believe that it deserves further consideration.

Allow me also to recall that General Assembly resolution 65/44 on prevention of an arms race in outer space reaffirms the importance and urgency of preventing an arms race in outer space and the readiness of all States to contribute to that common objective. The resolution also invites the Conference on Disarmament to establish a working group to discuss all issues related to the prevention of an arms race in outer space.

In conclusion, we would like to underline that all States have responsibility for refraining from engaging in any activity that could jeopardize the collective goal of maintaining outer space weapon free. We firmly believe that the exploration and use of outer space and other celestial bodies should have a solely peaceful objective and be of benefit to all States.

The President: I thank the representative of Indonesia for her statement and give the floor now to Serbia.

Mr. Zvekić (Serbia): Mr. President, space is indeed our universe: for all of us, big and small, rich and poor, with and without nuclear weapons. With increasing space activities we are pushing further into the depths and heights of space, we are pushing further the borders of our knowledge of space which is borderless. Exploring outer space is today's reality and the scientific challenge for humankind *par excellence*. It is a common resource and a common good, meaning for all inclusive. Space must be preserved and further explored as the common good for the common good in the common future. The prevention of an arms race is the prerequisite for the common future which unites us. In this connection there is no excuse for the Conference on Disarmament not to reach a methodological and goal-oriented consensus, including an internationally binding legal instrument as well as regulatory guidelines.

Serbia, a small observer State to the Conference, salutes all the efforts to enhance international cooperation in the prevention of arms race in outer space. To that end, we can offer only our political commitment, our knowledge, our readiness to work in furthering, for example, the European Union initiative for a draft code of conduct as well as the Russian-Chinese draft treaty of 2008.

The above should be read as a potentially small contribution from a small observer State to a big goal for humanity: a peaceful weaponless and borderless outer space – a true common future. All this once we are accepted amongst your lot.

The President: I thank Ambassador Zvekić for his statement. This exhausts the speakers' list. Is there anyone else who would like to take the floor at this time?

If not, the next plenary meeting of the Conference will be held on Thursday, 10 February at 10 a.m., where the fourth of core issues will be the focus, but not necessarily the exclusive subject of discussion.

The meeting rose at 12.30 p.m.