
Conference on Disarmament

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English

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

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President: Mr. Triyono Wibowo.....(Indonesia)



The President: I call to order the 1283rd plenary meeting of the Conference on Disarmament. As this is the first plenary meeting under the presidency of Indonesia, I would like to beg your indulgence as I make a few opening remarks.

It is an honour for Indonesia to assume the duties of the presidency of the Conference on Disarmament. Indonesia, in assuming its responsibilities, will be guided by the rules of procedure and will consult the Conference's member States in an open, inclusive and transparent manner.

Allow me to begin by thanking my predecessors. I thank Ambassador András Dékány of Hungary for his staunch efforts in trying to break the impasse in the Conference by proposing a draft programme of work. My appreciation also goes to Ambassador Sujata Mehta of India for her dedicated efforts in conducting continuous consultations with member States, seeking their views on how to advance the work of the Conference.

Indonesia still holds the Conference on Disarmament to be the world's sole multilateral negotiating forum on disarmament. Nuclear disarmament has always been our utmost priority, and we have always been committed to efforts towards the attainment of a world free of nuclear weapons.

In view of the present circumstances, Indonesia, as the current President of the Conference, is fully aware of the complexity of breaking the impasse in the Conference and reaching consensus on the programme of work.

I concur with what Ambassador Mehta said: repeated failure to adopt a programme of work adds to the sense of frustration within the Conference, and therefore a fresh attempt should be made only when there is a reasonable chance of succeeding. Though I do not have any illusions about breaking the impasse in the Conference, Indonesia will continue to consult member States to explore ways and means to do so.

We need to identify the obstacles preventing us from reaching consensus on a programme of work and find acceptable or agreeable variants in terms of language, methodologies and modalities. I have no pretension of being able to produce a programme of work, but during my presidency I will explore whether various drafts and proposed programmes of work that are already at hand from previous presidencies could be used as a reference or as a basis for consultation.

To ensure continuity in the work of the Conference presidencies in 2013, I will continue to seek views and guidance from member States in the hope of finding a common denominator for the Conference to commence work on its mandated functions.

In our regular substantive exchanges of views on core issues, we should not lose sight of the urgency of the Conference's adopting and implementing a balanced and comprehensive programme of work. Therefore, I will take into account views and constructive proposals put forward by member States in an attempt to find common ground on substantive issues and procedural matters.

As was announced in the most recent plenary meetings, today's session will be devoted to consideration of one of the Conference's core agenda items, namely, prevention of an arms race in outer space. As in the two previous sessions, I will not impose any particular structure on our debate on this theme. Furthermore, following our rules of procedure, any delegation may raise any other disarmament topic that is not specifically related to the main debate of today.

Having said that, I would now like to turn to the list of speakers. There are several delegates who wish to take the floor on this item.

I give the floor to the representative of Kyrgyzstan.

Mr. Erkin (Kyrgyzstan) (*spoke in Russian*): Mr. President, the Kyrgyz delegation wishes to make a statement to the Conference on Disarmament — on behalf of the States members of the Collective Security Treaty Organization (CSTO) — on the prevention of an arms race in outer space.

The delegations of the States members of CSTO view the prevention of an arms race in outer space as one of the priority items on the Conference's agenda. An overwhelming majority of the members of the Conference on Disarmament agree that the prevention of an arms race in outer space is extremely important for maintaining a predictable strategic situation in space, as well as international security.

In this regard, there is an urgent need to agree on a balanced programme of work for the Conference and, on that basis, to proceed with in-depth substantive discussions with a view to negotiating a legally binding international instrument to prevent the spread of the arms race to outer space.

A basis for such work already exists in the Russian-Chinese 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. Many delegations have expressed in this forum their willingness to hold in-depth substantive discussions on the basis of that draft.

To advance such discussions, we propose at this stage to focus on developing a set of transparency and confidence-building measures for outer space activities, using the potential of the Conference on Disarmament and the United Nations Group of Governmental Experts on Transparency and Confidence-building Measures in Outer Space Activities.

Without duplicating efforts to prevent an arms race in outer space, the use of transparency and confidence-building measures would promote greater transparency and predictability in space activities, including military ones. We call upon all States to submit their proposals for transparency and confidence-building measures to the Secretary-General of the United Nations for consideration by the Group of Governmental Experts, as well as for use in the follow-up negotiations on the 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.

In our view, a major contribution to keeping outer space free of weapons could be a pledge by States not to be the first to deploy a weapon of any kind in outer space. CSTO member States made such a pledge in 2005. We call upon all States to follow our example and join the initiative.

The President: I thank the representative of Kyrgyzstan for his statement. I now invite the representative of Ireland to take the floor on behalf of the European Union.

Mr. Kos (Ireland): Mr. President, I speak on behalf of the European Union and its member States. The following countries align themselves with this declaration: Albania, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia and the Republic of Moldova.

Mr. President, first of all, I would like to take this opportunity to congratulate you on the assumption of the presidency of the Conference on Disarmament, and I would like to assure you of our full cooperation. I would also like to thank the Indian Ambassador for the intensive consultations undertaken and the transparency shown during her presidency.

We all know that space activities are expanding and their importance is crucial. Space is a resource for all countries in the world. The European Union and its member States have a long-standing position in favour of the enhancement of the multilateral

framework concerning the preservation of a peaceful, safe and secure environment in outer space and its use on an equitable and mutually acceptable basis. We stress that the prevention of an arms race in outer space and the need to prevent outer space from becoming an area of conflict are essential conditions for the strengthening of strategic stability. The European Union is fully committed to strengthening the security of activities in outer space that contribute to the development and security of States. To this end, the European Union aims at promoting international cooperation in the exploration and use of outer space for peaceful purposes.

General Assembly resolution 67/30 called upon all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and the prevention of an arms race in outer space, and to refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international cooperation.

We are particularly sensitive to the issue of the safety of space systems and urge all States to take the necessary measures and actions aimed at mitigating the creation of space debris.

We have noted the proposal in the Conference on Disarmament by the Russian Federation and China of 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. We have also noted ideas for a legally binding prohibition on testing and use of anti-satellite weapons.

A growing number of countries are now committed to the development and implementation of transparency and confidence-building measures as a means to achieve enhanced safety and security in outer space. All European Union member States supported General Assembly resolution 65/68 and the creation of the Group of Governmental Experts on Transparency and Confidence-building Measures in Outer Space Activities. Four European Union member States participate in the work of the Group, which will hold its second session in Geneva in the first week of April. We fully support it as a means conducive to achieving enhanced space security, and we would like to take this opportunity to congratulate the Russian Chair for successfully launching the work of the Group in New York last July.

In our view, the elaboration of an international and voluntary set of guidelines — a tool that would strengthen the safety, security and predictability of all space activities — should be promoted. Such guidelines should, among other things, limit or minimize harmful interference, collisions or accidents in outer space, as well as the creation of debris.

To this end, the European Union launched extensive consultations to promote the development of an international code of conduct for outer space activities. The European Union formally presented the latest draft international code of conduct to the international community in Vienna on 5 June 2012.

The draft code is guided by the following principles: freedom for all to use outer space for peaceful purposes; preservation of the security and integrity of space objects in orbit; and due consideration for the legitimate security and defence needs of States.

The proposed draft, now also supported by a large number of countries outside Europe, foresees that the international code would be applicable to all outer space activities conducted by States or non-governmental entities. As the draft code would be voluntary and open to all States, it would lay down the basic rules to be observed by spacefaring nations in both civil and military space activities. The draft code does not include any provisions concerning the placement of weapons in outer space, but

insists on the importance of taking all 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.

The code being an overarching initiative, addressing the safety and sustainability of the space environment as well as stability and security in outer space, we consider that it would not be suitable to hold substantive multilateral discussions in any of the existing international forums dealing exclusively either with non-proliferation and disarmament issues, as does the Conference on Disarmament, or with the civilian uses of outer space, as does, for example, the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS). By pursuing discussions outside these forums, in a process open to all United Nations Member States, we hope to broaden international participation in the initiative, including by States currently not members of the Conference or the Committee. We hope that this approach will bring discussions of an international code of conduct to a swifter conclusion, which would then allow for its submission to the United Nations General Assembly for endorsement.

With this initiative we wish to contribute to enhancing international space security together with other ongoing international space initiatives, such as the work of the COPUOS Working Group on the Long-term Sustainability of Outer Space Activities and of the Group of Governmental Experts on Transparency and Confidence-building Measures in Outer Space Activities, which the European Union considers extremely important and complementary to the principles developed in the code. Its non-legally-binding and overarching nature will not prejudice any substantive discussions on all issues related to the prevention of an arms race in outer space in the Conference on Disarmament, in the framework of an agreed programme of work.

In the context of the European Council decision of May 2012 in support of the code of conduct, a regional seminar organized by the United Nations Institute for Disarmament Research, with participation by the European External Action Service, took place in Addis Ababa on 7 and 8 March 2013. Presentations at the seminar included an overview of African space initiatives, space security issues and the draft code of conduct.

We will offer to provide further updates at the second session of the Group of Governmental Experts this coming April.

Furthermore, we are now preparing for open-ended consultations on the draft code to be held in Kyiv, in cooperation with the authorities of Ukraine, on 16 and 17 May of this year. These consultations, to which all United Nations Member States are invited, will provide an opportunity to address all elements of the draft code.

Our aim remains to find agreement on a text that is acceptable to all interested States and that thus brings effective security benefits in a relatively short term. At the end of this process, the European Union and other supporters of this initiative intend to present a final version of the international code of conduct, that would be open to participation by all States on a voluntary basis, at an ad hoc diplomatic conference.

The President: I thank the representative of Ireland for his statement and for the kind words addressed to me and to my predecessors. I now give the floor to the representative of Japan.

Mr. Yamamoto (Japan): Allow me to begin, Mr. President, by congratulating you on your assumption of the presidency of the Conference on Disarmament. My delegation assures you of our full support and cooperation under your presidency. Today, I would like to briefly state the views of Japan on the prevention of an arms race in outer space.

Although outer space seems distant to us, people are closely tied to it in their everyday lives. Our world today relies heavily on the use of space-based services. Thanks to the remarkable technological progress made in recent years, our dependence has increased, and the number and variety of users are growing. Therefore, enhancing international efforts that aim to ensure peaceful and sustainable uses of outer space is a matter of significance. In this connection, Japan is committed to comprehensively examining and discussing various issues related to the prevention of an arms race in outer space. With regard to the draft treaty on the prevention of the placement of weapons in outer space presented by China and Russia, we consider that there are a number of issues that need to be carefully examined.

In parallel, to move forward with feasible measures, Japan is actively contributing to the development of an international code of conduct for outer space activities. The draft code of conduct proposed by the European Union would regulate both civil and security aspects, including a variety of transparency and confidence-building measures. We consider it a suitable gateway for further development of international rules. To broaden the participation of States in the process, we have been conducting outreach activities at bilateral and multilateral events, particularly in the Asia-Pacific region.

In addition, the second round of meetings of the Group of Governmental Experts on Transparency and Confidence-building Measures in Outer Space Activities will be held in Geneva next month. Japan is closely following the work of the Group. We look forward to its continued constructive discussions and are ready to provide concrete input. The United Nations Institute for Disarmament Research space security conference will also be held in Geneva next month. Japan recognizes the value of this initiative and is willing to continue its contributions.

I would like to conclude my statement by emphasizing the urgency of space debris mitigation measures as a future issue. Space debris is a genuine threat to any type of entity conducting any kind of activity in space. This obstacle should be addressed jointly by the entire international community. We therefore consider it necessary to examine possible measures to effectively ban anti-satellite weapons that affect the safe operation of satellites. This is an issue worthy of consideration in order to prevent the creation of further space debris.

Japan will continue to be actively engaged in the international dialogue to establish international norms for the development and use of space. We follow norms such as the United Nations Space Debris Mitigation Guidelines. We will intensify our efforts in the fields of space situational awareness and of developing space debris removal technology. In this way, Japan is committed to securing a safe space environment.

The President: I thank the representative of Japan for his statement. I now give the floor to the representative of China.

Mr. Wu Haitao (China) (*spoke in Chinese*): Mr. President, first of all, the Chinese delegation would like to congratulate you on assuming the presidency of the Conference on Disarmament. Your wealth of diplomatic experience and wisdom will surely guide the work of the Conference towards positive progress. The Chinese delegation stands ready to actively support and cooperate with you in your work. I would also like to take this opportunity to express our appreciation to your predecessor, the Indian Ambassador for Disarmament, Ms. Mehta, for her efforts to push forward the work of the Conference.

The prevention of an arms race in outer space is one of the Conference's core issues and is an important aspect of maintaining international peace and security. At its sixty-seventh session, the United Nations General Assembly once again adopted, by an

overwhelming majority, a resolution — resolution 67/30 — on the prevention of an arms race in outer space, reaffirming the importance and urgency of the issue and the leading role of the Conference in the negotiation of a relevant international legal instrument. The resolution fully reflected the shared aspiration of the international community to maintain security in outer space.

Since last year, international efforts to address the issue of space security have taken diverging paths. Thematic discussions were held in the Conference on the prevention of an arms race in outer space, during which delegations engaged in an in-depth exchange of views on threats to space security and possible ways of preventing an arms race in outer space. The United Nations Group of Governmental Experts on Transparency and Confidence-building Measures in Outer Space Activities began its work in an orderly fashion and will soon hold its second session in Geneva. Meanwhile, discussions on the code of conduct for outer space activities proposed by the European Union are also under way.

China has consistently advocated the peaceful use of outer space and opposed the weaponization of outer space as well as any arms race in outer space. It has actively promoted the negotiation of an international legal instrument in this regard. I would like to share some of my ideas on ways of effectively maintaining space security.

First, the main and most fundamental threat to space security is still posed by the weaponization of outer space and an arms race in outer space. Outer space is not only an important platform for the development and prosperity of humankind: it is also a new frontier, with important strategic security implications. As science and technology develop and humans make greater use of outer space, the risk of the weaponization of outer space and of an arms race in outer space continues to increase, threatening space security and undermining the global strategic balance and stability and the overall international nuclear disarmament process.

Selectively focusing on the impact that space-development-related issues, such as space debris, may have on space security while ignoring the risks posed by the weaponization of outer space and an arms race in outer space amounts to evading the primary threats in outer space today. Such an approach does nothing to promote the international community's efforts to maintain space security and indeed cannot bring security to outer space.

Second, we believe that, basically, the way to maintain space security is by negotiating and concluding an international legal instrument on the subject. Only by immediately adopting preventive measures and negotiating and concluding a legal instrument on the prevention of an arms race in outer space can we effectively fill the current gaps in the legal framework on space security, thereby preventing the weaponization of outer space by establishing a legal mechanism.

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 (CD/1839), which China and Russia submitted in 2008, is the ripest of all the proposals put forward in the Conference to date on the subject of outer space. In 2009, China and Russia jointly submitted to the Conference a working paper addressing the principal questions and comments on the draft treaty (CD/1872), which further clarified and elaborated on issues of concern to States, such as definitions, scope and verification. The drafting of the treaty has always been an open process incorporating the opinions and suggestions of many member States, and we welcome suggestions on ways to further improve and refine the draft. China is looking forward to an early start to substantive discussions in the Conference on the prevention of an arms race in outer space and to the launch of negotiations on the basis of the draft treaty.

Third, transparency and confidence-building measures in outer space activities are a useful supplement to the prevention of an arms race in outer space. Appropriate and feasible transparency and confidence-building measures play a positive role in enhancing mutual trust, avoiding misunderstandings and regulating space activities. China has actively participated in the work of the Group of Governmental Experts on Transparency and Confidence-building Measures in Outer Space Activities and expects that the Group will achieve substantive results. China also participated in the discussions held by the European Union on the code of conduct for outer space activities, and we hope that the European Union will take into full consideration the views of all parties, especially those of developing countries.

In our view, voluntary transparency and confidence-building measures will not achieve the objective of preventing an arms race in outer space, nor can they offer any fundamental guarantees for peace and security in outer space. Therefore, discussions on that subject should not undermine the start of work in the Conference on the basis of the draft treaty. Rather, the two should complement each other and jointly contribute to enhancing security in outer space.

The President: I thank Ambassador Wu for his statement. I now give the floor to the representative of the United States of America.

Ms. Kennedy (United States of America): Mr. President, it is indeed a pleasure to welcome the assumption by Indonesia of the leadership of the Conference on Disarmament, and we of course stand ready to support you and your team in any way we can.

Let me turn to today's topic and recall that, in accordance with President Obama's National Space Policy of 2010, the United States is pursuing bilateral and multilateral transparency and confidence-building measures (TCBMs) to encourage responsible actions in, and the peaceful use of, space. TCBMs are the means by which Governments can address challenges and share information with the aim of creating mutual understanding and reducing tensions.

These TCBMs are pragmatic, voluntary near-term actions that we can take to increase trust and prevent misperceptions, miscalculations and mistrust among nations. To overcome these dangers and risks requires, in part, building confidence among nations, which can be achieved with transparency, openness and predictability through, for example, information-sharing. TCBMs also have the potential of enhancing our knowledge of the space environment by addressing important areas such as orbital debris, space situational awareness and collision avoidance.

A recent space TCBM effort is the European Union's draft international code of conduct for outer space activities. In January 2012, the Secretary of State, Hillary Clinton, announced the decision of the United States to work with the European Union and other spacefaring nations to develop a new international code of conduct for outer space activities. The development of such a non-legally-binding code of conduct is an effective, pragmatic and timely way of strengthening the long-term sustainability, stability, safety and security of the space environment. The European Union is leading efforts to develop a text that is acceptable to the greatest possible number of Governments. The United States believes that the European Union's latest draft is a useful foundation and constructive starting point for developing a consensus on an international code. We look forward to participating in a consultative meeting that the European Union will be convening in the coming weeks.

In addition to the code, there are a number of other complementary ongoing efforts to establish multilateral TCBMs. These include the work of the United Nations Committee on the Peaceful Uses of Outer Space and the study by the United Nations Group of Governmental Experts on Transparency and Confidence-building Measures

in Outer Space Activities. Let me focus on the Group's study on outer space TCBMs as we look forward to its second session, to be held in Geneva in a few weeks, from 1 to 5 April. Under the capable chairmanship of our colleague Victor Vasiliev of the Russian Federation, the Group offers an opportunity to advance a range of voluntary and non-legally-binding TCBMs in space that have the potential to mitigate dangers and risks to space security. The key objective of the Group is to develop a consensus report for the United Nations Secretary-General that outlines a list of pragmatic space TCBMs that nations can sign up to on a voluntary basis. As part of its efforts to draw on as much expertise as possible, the Group has welcomed written contributions from intergovernmental bodies, industry and the private sector, civil society and United Nations Member States not already represented in the Group. I note that our colleague from Kyrgyzstan has indeed urged others to share those views. We believe that the Group serves as a real opportunity to move forward with pragmatic steps to strengthen stability in space through unilateral, bilateral and multilateral measures.

The Group's second session will be held at the same time as the annual United Nations Institute for Disarmament Research space security conference, on 2 and 3 April. The United States is pleased to serve again as one of the sponsors of this conference, which this year will have the theme of "enhancing confidence, ensuring space stability". I encourage all Conference on Disarmament member delegations and observers to participate, as the event provides a unique opportunity for the Geneva disarmament community to explore how space security can be ensured at the national, regional and multilateral levels.

The President: I thank Ambassador Kennedy for her statement. I would like to invite the representative of Australia to take the floor.

Ms. Abbott (Australia): Mr. President, I would like to start by congratulating you on your assumption of the presidency of the Conference. You can be assured of the support of Australia.

Along with other nations, Australia has become increasingly reliant on space for services critical to our social, environmental and economic well-being, as well as our security. Australia thus shares with other States an abiding interest in ensuring the sustainability of the space environment for current and future generations. This common interest is best served by a rules-based approach to space which promotes the peaceful, safe and responsible use of the space environment.

Various work streams are currently under way, in the United Nations and elsewhere, to enhance space security. These include the work of the United Nations Group of Governmental Experts on Transparency and Confidence-building Measures (TCBMs) in Outer Space Activities to develop space TCBMs; work in the United Nations Committee on the Peaceful Uses of Outer Space on sustainability; and the work towards an international code of conduct for outer space activities to address responsible behaviour in space, and in particular the pressing problem of space debris. Australia sees these as complementary approaches, each making a valuable contribution to space security.

Australia has supported the work of the Group of Governmental Experts by providing a paper on the application of international law to international security issues in space. The paper suggests that there are a number of obligations and principles of existing international law which may be applied to the activities of States in outer space, in addition to the provisions of the five so-called space treaties. In particular, it highlights the fact that there are a series of obligations in existing international law constraining actions by States which would contaminate the environment or interfere with the activities of other States. These obligations could

also be applied to State actions in outer space, including the creation of long-lived space debris through the deliberate destruction of space objects.

Clarifying the application of international law increases transparency, contributing to confidence in the international system, and provides a useful basis for the further development of TCBMs.

Proliferating space debris poses an immediate danger to satellites and space-based infrastructure. Given the critical importance of this infrastructure to the normal functioning of our daily lives, preventing further proliferation should be a priority for international action. The inevitable proliferation of debris in the congested space environment, through collision of orbiting objects, should not be compounded by further deliberate creation of debris. In particular, the development and testing of kinetic anti-satellite weapons is a concern.

Australia therefore regards the proposed international code of conduct for outer space activities as an appropriate means of focusing international attention on addressing this problem and of formalizing expectations against the deliberate creation of debris. To this end, Australia expressed early support for the concept of the code, as proposed by the European Union, and has been actively working with the European Union and others to take the initiative forward. We encourage all States to engage constructively in the forthcoming round of open-ended consultations announced by our European Union colleagues, to ensure that States' own interests — and our shared interests — in a safe and secure space environment are protected.

Space is a global resource upon which all States increasingly depend, and thus all countries have an interest in maintaining the safety and security of space. To stimulate greater involvement in this important work, Australia and Viet Nam recently co-hosted a space security workshop under the auspices of the Association of Southeast Asian Nations (ASEAN) Regional Forum. The workshop successfully brought together Forum participants to discuss challenges to space security, and participants recommended that the Forum consider continuing to be engaged in this important issue.

Similarly, space security is enhanced through the development of space situational awareness capabilities. An understanding of the space environment, including its characteristics, conditions and events, enhances planning and coordination and can facilitate avoidance of collisions between satellites and with debris. Australia is working towards contributing southern hemisphere data to enhance global space situational awareness.

Australia notes the space arms control treaty proposal tabled in the Conference. While Australia is open to discussing space arms control proposals that are practical and enforceable and effectively address pressing challenges, we continue to see substantial obstacles, relating to definition, scope and verifiability, to taking that proposal forward.

Australia considers that, in contrast, early and effective action can be taken to help address the common problem of space debris. The international community already shares an understanding of the need to protect the security of space objects and infrastructure. The proposed international code of conduct for outer space activities offers a straightforward means for action. Australia urges States to seize this opportunity to make a substantive contribution to space security by engaging constructively on the code.

The President: I thank the representative of Australia for her statement. I give the floor to the representative of Egypt.

Mr. Elatawy (Egypt): Mr. President, let me congratulate you on assuming the presidency of the Conference on Disarmament and assure you of my delegation's full cooperation. We have full confidence in your ability not only to usher us through the scheduled discussions but also, through your efforts and consultations, to reach a comprehensive and balanced programme of work that can enjoy consensus in the Conference.

Space applications are essential to our modern lifestyle. Indeed, our reliance on space has reached such a level that if anything were to impair our access to outer space, simple tasks would be difficult to carry out and comforts that we take for granted would be denied us. This simple fact can have but one simple and true conclusion: we must avoid turning outer space into yet another field of conflict. But, given the history of warfare and conflict, it is self-evident that the only way to keep outer space a peaceful zone is to guarantee that no weapons are ever deployed there. This is the simple, yet crucial, logic of the need to prevent an arms race in outer space, because we have seen over and over again that it is much easier to prevent something from happening than to wait until it occurs and try to roll it back.

Mr. President, our position on the prevention of an arms race in outer space (PAROS) is no surprise. We have repeatedly outlined it in numerous statements in the Conference, in the General Assembly and in other forums. Thus, I will only make the following short observations.

First, the cornerstone of dealing with outer space is to recognize it as the common heritage of humankind. We all benefit from it, and it is our collective common good. No one country can lay claim to outer space, nor should it try to monopolize it. It is also not acceptable for any established space user to try to prevent full access to and utilization of outer space by other countries. Ultimately, any threat to the peaceful utilization of outer space is a threat to the whole world community, and thus the responsibility of keeping a peaceful outer space accessible to all humanity is a shared responsibility that requires a multilateral framework.

Second, to stress the multilateral nature of the issue is not to dismiss unilateral declarations, bilateral agreements or like-minded groups' common positions. However, the latter can only contribute to building confidence and do not nullify or contradict the need for a multilateral, legally binding agreement on the prevention of an arms race in outer space. Such agreements must be concluded with the participation of, and taking into consideration the interests of, all countries, with equal privileges and obligations, and not be tailor-made for current users of space.

Third, it is clear that the current body of law governing PAROS is insufficient. This gap cannot be filled only through transparency and confidence-building measures (TCBMs), as important as they are — and I take this opportunity to recognize the work of the Group of Governmental Experts on Transparency and Confidence-building Measures in Outer Space Activities. Instead, TCBMs are meant to complement legally binding multilateral treaties that must not only prohibit the placement of any kind of weapon in outer space or on celestial bodies, but also prohibit any Earth- or space-based weapons that target satellites.

Fourth, it is easy to say that we cannot deal with PAROS because there are already existing and legitimate military applications in outer space — for example, for communication and navigation — but that would be disingenuous, mere smoke and mirrors. Weaponization of outer space is not the same as militarization of outer space. The real challenge to outer space and our common utilization of it would stem from placing weapons in outer space and targeting satellites, thus indiscriminately affecting the mere possibility of the utilization of outer space for peaceful uses by anyone.

Finally, any treaty on PAROS must be universal, verifiable and equitable and have the same obligations and benefits for all member States. And, on the issue of verification, let me quickly point to the many studies and proposals related to PAROS that have shown that a verification regime can be constructed, of course, if there is political will.

We continue to hold that the Conference on Disarmament is the place to negotiate such a treaty, and we are willing to start negotiations now. We recognize the initiative presented by China and the Russian Federation on submitting a document on elements of a treaty on the prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects, which, although not perfect, still can serve as a good basis for commencing negotiations and building on. What is important is to start negotiations on this timely issue before it becomes too late.

Every year Egypt and Sri Lanka alternate in presenting a resolution on PAROS to the First Committee of the United Nations General Assembly. Every year such a resolution receives near-unanimous approval, with only two countries abstaining. We call on all countries to continue their support, and on the two countries that abstain to join the world community in voting for this resolution. If one is seeking a test of ripeness for negotiations among the four core issues in the Conference, this may indeed be a good indicator. This is a job for this body, and it is up to us to take up our mandate here. No magic machine will just show up in the middle of the room and do our job for us.

We thus look forward to the early commencement of negotiations in the Conference on Disarmament on a legally binding, verifiable treaty on PAROS.

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

Mr. Sajjadi (Islamic Republic of Iran): Mr. President, at the outset, allow me to congratulate you on the assumption of the presidency of the Conference on Disarmament and thank you for the manner in which you are presiding over this body. I would like to assure you of the full cooperation of my delegation in discharging your important tasks as President of the Conference.

Outer space is a common heritage of mankind and must be used, explored and utilized for peaceful purposes and for the benefit and in the interest of all mankind in a spirit of cooperation. The Millennium Development Goals re-emphasize and provide a useful approach to space development for the next generation. Thus, we should lay the groundwork for the next generation to fully incorporate the use of space to ensure that the Millennium Development Goals are met, especially in the developing countries. All efforts 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. The role of space technology in our daily life is pretty clear. This indispensable role is ever-increasing, and outer space is essential to everyday life. It has many applications in the fields of telecommunications, banking, agricultural planning, natural resources, protection and early warning of extreme environmental events and the extent of global warming.

All States have an inalienable right to access outer space for research and peaceful use on the basis 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 (Outer Space Treaty). Therefore, it is natural that space security should be our common goal. The more we depend on space, the more we need space security. It is thus more urgent than ever before that space remain a peaceful domain. We ask all countries to respect the fact that outer space is the global heritage of all mankind by making this environment safe and secure for all human beings. A serious threat to the peaceful use of outer space is posed by the development of anti-satellite

weapons and anti-ballistic missile systems. Technologies developed for missile defences have many potential applications that threaten space-based assets. Seeking dominance of space is a misguided, self-defeating route to space security.

It took several decades of the cold war arms race for the nuclear Powers to realize that a nuclear war could never be won. We should not replicate the past in regard to outer 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 therefore would give rise to an arms race. Weaponization of outer space will not, therefore, bring security even for the country concerned. The weaponization of space will trigger unforeseeable results, similar to what happened at the beginning of the nuclear era. Weapons deployment in outer space by one State will unavoidably ignite a chain reaction and the risk of escalation of an arms race both in space and on Earth. The Islamic Republic of Iran, as a spacefaring nation, has consistently supported the prevention of an arms race in outer space and is strongly of the view that every effort should be made to keep outer space out 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 the Committee on the Peaceful Uses of Outer Space (COPUOS) is required with regard to the peaceful use of outer space. Moreover, the prevention of an arms race in outer space (PAROS) is one of the Conference's four core agenda issues and has been included in all proposals since 1982 for the Conference's programme of work. There has also been growing demand in the international community to see concrete measures taken to strengthen space security. Unfortunately, since 1995 the Conference has been unable to start negotiations on a legally binding instrument for PAROS under the relevant agenda item.

We believe that the Conference on Disarmament should remain the primary forum for political, legal, technical and institutional negotiation and for constructing any new legal instruments on the PAROS issue. The growing number and diversity of actors in space as well as the rapidly developing technologies necessitate protecting the operating environment, particularly with respect to preventing space debris in order to mitigate the risk of collision.

Space debris is an indiscriminate threat for all spacefaring nations and all outer space users. It is noteworthy that the international guidelines agreed on by COPUOS are only confidence-building voluntary measures and would not create legally binding obligations. From our point of view, the current legal framework on this issue is not sufficient to deal with all security matters related to outer space. There is a need for legally binding arrangements to keep outer space out of any weaponization and arms race. The draft treaty on the prevention of the placement of weapons in outer space and the threat or use of force against outer space objects presented to the Conference by Russia and China in 2008 is a positive step which deserves further consideration, provides a good basis for further discussions and may possibly lead to eventual PAROS negotiations. We support the start of negotiations in the Conference on Disarmament on the conclusion of a legally binding treaty to fully ban the possibility of an arms race in outer space.

The President: I thank Ambassador Sajjadi for his statement. I now invite the representative of India to take the floor.

Mr. Vipul (India): Mr. President, the Indian delegation would like to congratulate you on the assumption of the presidency of the Conference on Disarmament. You can count on the full support of India in your efforts towards the commencement of substantive work in the Conference. We appreciate the scheduling

of this plenary for discussing the prevention of an arms race in outer space (PAROS), which provides an opportunity for delegations to update each other on developments on this core issue of the Conference.

For the past five decades the Indian space programme has been a pioneer in harnessing outer space for peaceful uses. Space science and technology have played a vital role in the socioeconomic development of our people. Given our substantial national investments in outer space and the proliferation of space-related technologies and assets, as well as the growing militarization of space, we accord priority to the issue of PAROS, including the safety of assets in space.

Outer space should not become an arena of competitive policies, but a new and expanding frontier of cooperative activity. This places a responsibility on all spacefaring nations to contribute to international efforts to safeguard outer space as the common heritage of humankind and preserve and promote the benefits flowing from advances made in space technology and its applications for all. We are against the weaponization of outer space and support international efforts to reinforce the safety and security of space-based assets and to prevent the placement of weapons in outer space.

The current international legal framework on outer space was devised at the dawn of the space age more than three decades ago. Outer space has become more crowded and congested since then, and technological developments continue to add to the complexity of the issues involved. We therefore believe that the international legal framework on space security needs to be strengthened to enhance the security of space assets for all space users and to prevent the weaponization of outer space. While universal and non-discriminatory transparency and confidence-building measures can play a useful complementary role, and while India is participating in efforts led by, among others, the European Union in this regard, they cannot substitute for legally binding instruments in this field.

India supports the substantive consideration of the issue of PAROS in the Conference, where it has been on the agenda since 1982, including, *inter alia*, negotiations in a subsidiary body as part of a programme of work. Once that happens, there are a number of proposals, including for a draft treaty, which may be considered further.

Before concluding, let me say that we look forward to the briefing and the statement by the Chair of the Group of Governmental Experts on Transparency and Confidence-building Measures in Outer Space Activities, Mr. Victor Vasiliev, about the work of the Group, where unfortunately not all major spacefaring nations are represented.

The President: I thank the representative of India for his statement. I invite the representative of Belarus to take the floor.

Mr. Grinevich (Belarus) (*spoke in Russian*): Mr. President, as this is the first time that our delegation is taking the floor during your presidency, allow me to congratulate you on your appointment to this important post and to wish you every success in your work. You may count on the full support of our delegation.

Belarus supports the statement made by Kyrgyzstan on behalf of the States members of the Collective Security Treaty Organization. We find regrettable the lack of interest among a number of delegations in seriously discussing, in the framework of the Conference on Disarmament, the prevention of an arms race in outer space (PAROS). We note that during the past decade PAROS was discussed in a more focused way. For example, 10 years ago it was understood in the Conference that there were serious gaps in the system of international space law and that something needed

to be done in that regard. Today, many delegations prefer to discuss what is being done elsewhere to strengthen space security, while avoiding substantive work on item 3 of the Conference agenda.

In this connection, I would like to point out that 10 years ago Conference participants were quite familiar with the work of the United Nations Committee on the Peaceful Uses of Outer Space and of the groups of governmental experts on transparency and confidence-building measures and on security. Many delegations often even joked: "Please do not contaminate our discussion with space debris." Today, unfortunately, the situation is rather different. Our country, too, considers PAROS to be a key item on the agenda of the Conference. We are ready to begin negotiations on a treaty to prevent the weaponization of space, on the basis of the draft treaty submitted by China and the Russian Federation. We believe that, in the absence of consensus on a fissile material cut-off treaty, negotiations on a treaty on the prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects could genuinely help the Conference to get back into negotiating mode.

The President: I thank the representative of Belarus for his statement. I would now like to invite the Chair of the Group of Governmental Experts on Transparency and Confidence-building Measures in Outer Space Activities, Mr. Victor Vasiliev, to contribute to our discussion today.

Mr. Vasiliev (Group of Governmental Experts on Transparency and Confidence-building Measures in Outer Space Activities): Mr. President, today I will speak as the Chair of the Group of Governmental Experts on Transparency and Confidence-building Measures (TCBMs) in Outer Space Activities. The Group was established in accordance with a resolution of the General Assembly in 2011 and held its first session in August 2012. The Group consists of 15 experts based on fair geographical representation. As the Chair of the Group, I was authorized by the Group at its first session to liaise with the relevant international organizations and bodies to inform them about the Group's activities. I have already addressed the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS) in Vienna and have held consultations with the World Meteorological Organization (WMO) and the International Telecommunication Union (ITU); and today I am addressing the Conference on Disarmament. We have produced a first draft of the report of the Group, although of course ownership of the report belongs to the Group. For that matter, I am not authorized to share the draft report with you, but my presentation will be circulated shortly by the secretariat and this presentation will give you an idea of the main structure and elements of the report.

So, why do we now have this report, and what are the purposes of the Group? Over the past 20 years — which is the period since the meetings of the first Group of Governmental Experts on TCBMs and its report in 1993 — the value of space for international security and cooperation, global economic development and human security has grown exponentially. More than 130 States have space programmes or participate in outer space activities. The number of non-State entities operating and controlling space assets is also growing. In the light of this booming interest in space exploration and exploitation among States, it is generally recognized that further measures are needed to augment the safety, security and sustainability of day-to-day space operations and State-to-State space engagement.

The political climate regarding outer space sustainability and security has fundamentally changed, as is reflected in resolutions adopted by the General Assembly on TCBMs, in substantive discussions of the Conference on Disarmament on the prevention of an arms race in outer space, in the COPUOS Working Group on the Long-term Sustainability of Outer Space Activities and in the activities of ITU and

WMO. Various proposals have also been advanced, including the draft treaty introduced at the Conference in 2008 by China and Russia on the prevention of the placement of weapons in outer space, the proposal of the European Union for an international code of conduct for outer space activities and some other ideas.

The Group is not working from scratch. As I already mentioned, we have a report dating from 1993 by the previous Group of Governmental Experts on TCBMs and, of course, we have national reports in response to the relevant General Assembly resolution on TCBMs that is traditionally sponsored by China and Russia and co-sponsored by almost 50 States. So, we have at our disposal inputs from more than 40 countries, either in their national capacity or as a group.

TCBMs in space are part of a broader context of TCBMs. The General Assembly — almost 25 years ago in its resolution 43/78 H — endorsed the guidelines for confidence-building measures.

Although use of the term “TCBM” in the domain of space is more recent, elements of TCBMs can be found in the existing international agreements on outer space.

What are the conclusions of the first session of the Group of Governmental Experts? The Group concluded that comprehensive TCBMs were needed in order to promote a number of objectives, including disarmament or parallel measures in connection with arms limitation and disarmament agreements; contributing to reducing international tensions; contributing to safe and sustainable uses of outer space as well as preventing dangerous situations, collisions and, as a result, space debris; and reducing misunderstanding and mistrust with regard to a State’s space policies and intentions.

The Group considers that TCBMs should be aimed at increasing the security, safety and sustainability of the use of outer space. TCBMs should complement the existing international legal frameworks pertaining to space activities and not undermine existing legal obligations or hamper the legal uses of outer space, particularly by emerging space actors. Measures specifically developed to increase transparency and confidence in outer space activities should not replace or expand legally binding agreements. States that have not yet ratified the basic treaties establishing the international legal framework for outer space activities should be encouraged to do so as soon as possible.

Most experts have expressed the view that TCBMs developed for outer space activities should be voluntary. It was noted, however, that, once adopted, certain TCBMs could have the force of law, especially if their implementation requires the enactment of national legislation. It was also noted that voluntary TCBMs could be converted into a politically or legally binding measure, and that TCBMs could be included in legally binding international instruments.

TCBMs can be developed and implemented unilaterally, bilaterally or multilaterally. The Group is of the view that TCBMs developed in a multilateral framework would have the best chance of adoption by the international community.

During the deliberations at the Group’s first session, the following practical TCBMs were outlined and included in the draft report:

1. Measures aimed at enhancing the transparency of outer space programmes, including information exchanges; familiarization visits, such as expert visits, including visits to space launch sites, flight command and control centres and other operation facilities of outer space infrastructure; demonstrations of rocket and space technologies; and invitation of observers to launch sites;

2. Measures aimed at expanding the information available on outer space objects, including information exchanges on forecast dangerous situations in outer space; exchanges of information on basic orbital parameters of outer space objects; exchanges of information on potential orbital conjunctions in space; exchanges of information on forecast natural hazards in outer space; notifications of planned spacecraft launches, including notifications of the beginning of descent from orbit of unguided space objects and the predicted impact areas on Earth; notifications of scheduled manoeuvres that might result in risk to the safety of flight of other space objects and planned space launches; notifications of uncontrolled high-risk re-entry events, such as the return of a spacecraft with a nuclear source of power on board, in case of malfunction and danger of radioactive materials descending to Earth; notifications of orbital debris events posing a risk to the safety of flight of other space objects; and prior notifications of intentional orbital break-ups;
3. Measures related to rules of conduct for outer space activities, such as the draft international code of conduct;
4. Other transparency and confidence-building measures, such as an obligation not to place weapons in space first.

The Group also discussed various elements of international cooperation and consultative mechanisms. It concluded that, without prejudice to existing consultation mechanisms provided for in article 9 of the Outer Space Treaty of 1967 and in article 56 of the ITU Constitution, States should utilize consultations if they have reason to believe that another State's space activities are, or may be, contrary to voluntary, non-legally-binding commitments regarding the peaceful use of outer space.

Outreach is an important element that was considered by the Group, which concluded that outreach measures could help to promote the security of all States by fostering mutual trust through the implementation of political and diplomatic measures relating to space activities.

Existing coordination mechanisms established in accordance with international law play an essential role in upholding the principle that the space systems of all nations should have the right to pass through and conduct operations in space without interference.

States should encourage the universal adoption and implementation of, and full adherence to, the existing legal framework relating to outer space activities to which they are parties or subscribe; implementation of COPUOS principles, guidelines and standards; and participation in United Nations bodies, including the Conference on Disarmament.

Of course, the most important part of the report is the conclusions and recommendations. We are still to consider those at the Group's second session, which will take place here in Geneva from 1 to 5 April, and its third session, which will be held in New York in July of this year. If we are successful, the substantive report will be presented to the General Assembly at its sixty-eighth session in a report of the Secretary-General, for adoption. Of course, we all need to consider how we will move forward on space security. Here we have the roles of different bodies and institutions, and the Group of Governmental Experts is not of the view that we need to change the existing machinery for promoting space security. Each of the existing mechanisms has its role to play in promoting security and sustainability. For that reason, we will be interested in hearing the views of delegations on how to promote space security, and we have already received some inputs. I mentioned 40 member States that presented their views to the General Assembly. We have heard the presentation made by

Australia and some other countries and the European Union. Those inputs will be taken into account by the Group.

Last but not least, I would like once again to draw your attention to the fact that the United Nations Institute for Disarmament Research (UNIDIR) will be holding its traditional space security conference on 2 and 3 April here in Geneva. This conference will, among other things, provide an opportunity to address the Group of Governmental Experts and the members of the Group present at the first day of the conference in Geneva. I would also like to take this opportunity, now speaking as the representative of the Russian Federation, to invite all members of the Conference on Disarmament to the reception, which will be held at the Permanent Mission of the Russian Federation on the evening of 2 April. The invitation to this reception is attached to the information that was, I believe, circulated to delegations with regard to the UNIDIR conference.

The President: I thank the Chair of the Group of Governmental Experts on Transparency and Confidence-building Measures in Outer Space Activities for his contributions. It is our hope that the work of the Group will provide a new impetus to our efforts to create a new international regime in outer space.

Is there any other delegation that wishes to take the floor? I give the floor to the representative of Algeria.

Mr. Khelif (Algeria) (*spoke in Arabic*): Mr. President, the Algerian delegation would like to begin by expressing its deep appreciation to your predecessor, the Ambassador of India, for all the efforts she made during her presidency of the Conference on Disarmament. We also take this opportunity to tell you how pleased we are to see you assume the leadership of the Conference's activities, and to assure you of our support and our readiness to offer you all the backing you may need to ensure that the work of the Conference progresses.

There can be no doubt that the issue of ensuring security and peace in outer space is one of enormous importance to the international community, especially in view of the pressing need for the numerous peaceful uses to be made of it. In his statement, my Egyptian colleague outlined the basic principles which we must use as a foundation for any efforts by which we hope to guarantee security and peace in outer space. The first of those principles, which are contained in the 1967 Outer Space Treaty, is that outer space is the province of all humankind and must be used only for peaceful purposes.

Many efforts are currently being made — for example, within the framework of the Group of Governmental Experts set up by the General Assembly, and I would like to take this opportunity to thank our colleague Mr. Vasiliev, Chair of that Group, for his report. Efforts have also been made by the European Union and a number of States to devise a set of measures on transparency in outer space in order to establish a framework for mutual trust among nations. There likewise exists a draft treaty, presented by Russia and China to prevent the placement of weapons in outer space. We view all these measures as being complementary.

Algeria would like to take this opportunity to confirm its support for calls to devise an international legal instrument, binding on all parties, to prevent the weaponization of outer space. In this regard, the Russian-Chinese draft treaty constitutes a good starting point for this work. I hope that we can agree a wording within the framework of the Conference, as part of a comprehensive and balanced programme of work which will allow us to begin substantive discussion on the four core issues.

There is just one observation to be made with reference to the report of the Group of Governmental Experts presented by our colleague Mr. Vasiliev, and I would like to seek clarification on this point. The report states that most of the experts expressed the opinion that transparency measures in outer space must be voluntary and that, if adopted, they are to be applied at the national level in accordance with national legislation. According to the Vienna Convention on the Law of Treaties, the accession of any State to any international agreement is a voluntary matter which depends on the will of that State; and if the agreement is adopted, it is natural that the State should implement it nationally and take all measures to apply it. Therefore, we would ask for clarification on this relationship between the voluntary status of these measures and the fact that, if adopted, they must be applied automatically at the national level.

The President: I thank the representative of Algeria for his statement.

Does any other delegation wish to take the floor? I acknowledge the representative of Russia.

Mr. Vasiliev (Group of Governmental Experts on Transparency and Confidence-building Measures in Outer Space Activities): Mr. President, I will speak now not as the representative of the Russian Federation but as the Chair of the Group of Governmental Experts. Since a question was asked by my Algerian colleague, I can respond at this juncture, or I am at your disposal if there are other questions with regard to the draft report and to my presentation.

The President: Does any other delegation wish to ask a question or request clarification from the Chair of the Group of Governmental Experts?

You have the floor, Mr. Vasiliev.

Mr. Vasiliev (Group of Governmental Experts on Transparency and Confidence-building Measures in Outer Space Activities): I will now respond to the question raised by my Algerian colleague. As I mentioned in my presentation, it was not exactly all experts — but most experts — who expressed the view that transparency and confidence-building measures (TCBMs) should be voluntary in nature. Speaking about the correlation between voluntary and legal norms, I just want to stress that we have at least five major conventions and legal instruments, and those legal instruments contain obligations of States to introduce some TCBM measures into their space activities.

As an example, the exchange of information on basic orbital parameters of outer space objects is a confidence-building measure, but, in accordance with the 1975 Convention on Registration of Objects Launched into Outer Space, States should provide registration information as soon as practical to the Secretary-General of the United Nations. So, on the one hand, this is a TCBM, but at the same time those member States that are parties to this Convention have a legal obligation to provide this information.

By the same token, the exchanges of information on forecast natural hazards in outer space are provided for in the Outer Space Treaty of 1967. States should immediately inform other States or the Secretary-General of the United Nations of any phenomena they discover in outer space, including on the Moon and other celestial bodies, which could constitute a danger to the lives or health of astronauts or to other human space flight activities.

So, once again, those member States that are parties to those treaties or conventions already have a legal obligation to inform either the Secretary-General of the United Nations or other States about certain activities, and those are part of TCBMs. Of course, when countries enter into an obligation, they make national legislation to implement those conventions. This is what is meant in my presentation, and this was mentioned by most of the experts in the Group of Governmental Experts.

The President: I thank Mr. Vasiliev for his clarification and explanations. Does any other delegation wish to take the floor at this juncture? That does not seem to be the case.

Before concluding this plenary session, allow me to highlight some salient points of our discussion today.

Delegations agreed that outer space should be for peaceful uses and that the growing use of space increases the importance of having a better regime and framework. Some delegations pointed out that gaps exist in the legal framework dealing with outer space. Some delegations took the opportunity to discuss existing resolutions or working papers on the prevention of an arms race in outer space (PAROS) that could be further developed or discussed. Delegations underlined the necessity of space debris mitigation as an urgent issue for the future. Some feel that transparency and confidence-building measures are useful and could overcome mistrust, while others feel that they should not become a substitute for a legally binding instrument on PAROS. Some delegates emphasized the primary role played by the Conference on Disarmament in the negotiation of an international instrument on PAROS.

This concludes our business for today. The next plenary meeting of the Conference will be devoted to the consideration of one of the four core agenda items — effective international arrangements to assure non-nuclear-weapon States against the use or the threat of use of nuclear weapons, commonly known as negative security assurances — and will be held on 26 March 2013 at 10 a.m.

This meeting stands adjourned.

The meeting rose at 11.40 a.m.