

CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE ONE THOUSAND AND TWENTY-FOURTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 8 June 2006, at 10.15 a.m.

President: Mr. Valery LOSHCHININ (Russian Federation)

The PRESIDENT (translated from Russian): I declare open the 1024th plenary meeting of the Conference on Disarmament.

I should like at the very outset to extend a most cordial welcome to His Excellency Ambassador Anton Pinter, who heads the Permanent Mission of Slovakia to the United Nations Offices and other international organizations in Geneva, and is also the leader of the delegation of Slovakia to the Conference on Disarmament.

Anton Pinter is a celebrated diplomat, well known in multilateral diplomacy, in the diplomatic service since 1977. From 1999 to 2004 he was the Permanent Representative of Slovakia to OSCE in Vienna, and in recent years Director-General of the Department of International Affairs, Disarmament and Development Cooperation. I would like to take this opportunity to assure Ambassador Pinter of our readiness to cooperate and provide every kind of assistance and support in his work.

Today the Conference begins the focused structured debate on agenda item 3, prevention of an arms race in outer space. As you know, at this plenary meeting the Conference will address two issues: the significance and importance of the issue of PAROS and, second, the scope of and basic definitions for a future international agreement on the prevention of the placement of weapons in outer space, the use or threat of force against outer space objects. In accordance with the suggestions I made last Thursday concerning the programme of work during Russia's term in the Chair, I will now give the floor to delegations that intend to address the first issue, that is, the importance of PAROS. After we conclude consideration of this issue, we will move on to the issue of the scope of and basic definitions for a future international agreement.

There are currently 17 delegations on the speakers' list: China, India, Austria, on behalf of the European Union, Republic of South Africa, Sri Lanka, Democratic People's Republic of Korea, Russian Federation, New Zealand, Great Britain, Egypt, Indonesia, on behalf of the Group of 21, the Republic of Korea, Sweden, the Netherlands, Canada, the Syrian Arab Republic, Germany.

I now give the floor to the representative of China. Ambassador Cheng, you have the floor.

Mr. CHENG (China) (translated from Chinese): Mr. President, at the outset I would like to extend my sincere congratulations to you on your assumption of the presidency of the CD. I am very glad that, under your guidance, the Conference will undertake a focused debate on the prevention of an arms race in outer space, which we are sure will yield fruitful results. You can count on the full cooperation of the Chinese delegation.

I would like to take this opportunity to express my sincere appreciation to the secretariat for the compilation of the background documents.

The Chinese delegation welcomes the focused debate on PAROS. This is the first time in the last few years that we have had an opportunity to conduct a detailed discussion of this

(Mr. Cheng, China)

important issue, which has been on the agenda of the CD since 1982. As long ago as the late 1950s, when the exploration of outer space by humankind had just started, the United Nations General Assembly already turned its attention to the issue of how to secure the peaceful use of outer space. Today, several decades later, this issue has gained still greater importance and urgency and the international community has become unanimous in its desire to ensure the safety of outer space.

Over the past five decades and more the exploration and use of outer space has given great impetus to the development of human society. Like the land, the oceans and the sky, outer space has become an integral part of our lives and one on which we are increasingly dependent. The peaceful use of outer space is the shared aspiration of people of all countries.

That said, however, outer space technology may be described as a double-edged sword, just like nuclear and cloning technologies: it is capable of contributing to the well-being of humankind, but it can also cause severe harm to the world if applied improperly or without control. During the cold war, we witnessed an arms race in outer space, which fortunately did not lead to the weaponization of outer space. Yet the shadow cast by an arms race in outer space has not been dispelled by the end of the cold war: outer space weapons are being developed quietly and behind our backs and the relevant military doctrine is being formulated.

The deployment of weapons in outer space would have unimaginable consequences: not only would the outer space assets of all countries be endangered, and the peaceful use of outer space threatened; international peace and security would themselves be undermined. It is in the interest of all countries to protect humanity from the threat of outer space weapons.

It is true that, to date, there are still no weapons in outer space, but we should not use this as an excuse to sit idly by. Drawing lessons from the past, in recent years, in the United Nations and other multilateral forums, we have repeatedly underscored the necessity for preventive diplomacy, and outer space is just such a field that requires our vigorous preventive efforts. Taking preventive action is far better than trying to fix the consequences. The history of the development of nuclear weapons constantly reminds us that, if ever outer space weapons are actually developed, it will be very difficult to control them and to prevent their proliferation, let alone to eliminate them. We cannot afford to wait until outer space weapons are finally deployed and an arms race in outer space becomes a reality: the price will be too high. Accordingly, we should do all we can to avoid repeating the sorry history of nuclear weapon development. The most effective way to do this is to conclude a new international legal instrument.

It is true that we already have certain international legal instruments in this field, such as the 1967 Outer Space Treaty, the 1984 Moon Agreement and the 1972 ABM Treaty, which have contributed significantly to the prevention of an arms race in outer space. They all have limitations, however. Some focus on weapons of mass destruction only, some are concerned only with a particular celestial body or area in outer space and lack universal scope and some

(Mr. Cheng, China)

have even been scrapped. In order to remedy the shortcomings and close the loopholes in the existing legal framework and to put an end once and for all to the organization of an arms race in outer space, it is clear that we need a new international legal instrument.

The Chinese delegation is of the view that, at the present juncture, there is a sound basis and the conditions are increasingly propitious for the negotiation of such a legal instrument. It is now time for us to carry out the substantive work.

First, we enjoy broad political support: every year over the last 20 and more years, the United Nations General Assembly has adopted by an overwhelming majority a resolution on prevention of an arms race in outer space, in which the Assembly has called for the negotiation of an international instrument on the issue. Last year, as many as 180 Member States voted in favour of this resolution. An overwhelming majority of members of the CD agreed to establish an ad hoc committee dedicated to prevention of an arms race in outer space. Initiating the substantive work on PAROS at an early date is entirely consistent with the will and aspirations of the international community.

Second, the CD has already had experience of establishing an ad hoc committee dealing with PAROS. For 10 consecutive years, from 1984 to 1994, an ad hoc committee was established to deal with such issues as definitions, principles, existing legal instruments and confidence-building measures, etc. Although, owing to the historical conditions prevailing in those years, the committee was not able to achieve tangible results, it still undoubtedly formed a solid basis for our work today.

Third, there is a growing awareness and increasingly broad acceptance of the importance of PAROS in the international community. In recent years, a number of seminars have been held on this subject. Acting in collaboration with the parties concerned, UNIDIR has convened five successive international conferences in Geneva on outer space, during which many valuable ideas and proposals have been put forward. Though their views on how the issue of outer space should be dealt with may vary, all participants share a common understanding that the task of preventing the weaponization of outer space and maintaining outer space security is in the interests of all countries.

Last but not least, the framework of a new legal instrument on outer space is already starting to take shape. In 2002, seven countries - namely, the Russian Federation, China, Indonesia, Belarus, Viet Nam, Zimbabwe and the Syrian Arab Republic - jointly presented to the CD a working paper entitled "Possible elements for a future international legal agreement on the prevention of the deployment of weapons in outer space, the threat or use of force against outer space objects", contained in document CD/1679. The document, which is set out in the form of a treaty, puts forward detailed proposals on all the constituent elements of a new legal instrument on outer space and provides a clear and realistic blueprint for our future work. In addition, China and the Russian Federation have jointly submitted to the CD four thematic papers on the issues of definitions, verification, transparency and confidence-building measures.

(Mr. Cheng, China)

It is our view that the issue of outer space, together with the other principal items on the CD agenda, is of great significance for global security and is intimately linked to the maintenance of world peace and stability: for that reason, all these issues merit serious consideration by the CD. A world free of outer space weapons is just as important as a world free of weapons of mass destruction.

Recently, we have been hearing frequent assertions of the so-called “linkage”. Yet is it not a form of linkage when some people insist on negotiating one issue only while refusing to conduct any substantive work on others? Each country has its own priorities, and for countries to focus exclusively on their own priorities while disregarding the priorities of others would only lead inexorably to a permanent deadlock in the CD.

As everyone knows, China is in favour of negotiations on PAROS and its position on this remains unchanged. At the same time, in order to help bring this body back as soon as possible to its substantive work, we have repeatedly demonstrated flexibility. Thus, in August 2003, we indicated our readiness to accept the mandate for an ad hoc committee on PAROS contained in the five Ambassadors’ proposal and our willingness to join the consensus on that proposal.

China shares the concerns of all sides over the protracted deadlock in the CD and, like all other countries, hopes that there will be a positive turnaround in the CD at the earliest possible stage. The five Ambassadors’ proposal, which has already been accepted by the vast majority of members, offers a workable way out of this impasse. I would like to stress here that any idea designed to circumvent the programme of work and to initiate negotiations solely on one issue while refraining from substantive work on other issues will lead us nowhere.

During our deliberations over the coming days, the Chinese experts are looking forward to thorough exchanges of views with all sides on such issues as definitions, scope, transparency, confidence-building measures and access to security in outer space, with a view to further enriching our discussions on outer space. It is our belief that this debate will help create the conditions for the CD to agree in the near future on a programme of work and to begin substantive work on PAROS.

The PRESIDENT (translated from Russian): I thank the distinguished representative of China for his statement and the kind words addressed to the Chair. I now give the floor to Ambassador Prasad of India. You have the floor, Sir.

Mr. PRASAD (India): Mr. President, my delegation would like to congratulate you warmly on your assumption of the presidency of the Conference on Disarmament. We commend your efforts in organizing structured discussions on the prevention of an arms race in outer space (PAROS) and look forward to actively participating in them. You have our full and earnest cooperation in support of your endeavours. We would like to take this opportunity to express our appreciation to Ambassador Costea of Romania for the productive discussions on a fissile material cut-off treaty held last month.

(Mr. Prasad, India)

Speaking to a university audience through a multimedia teleconference just last week, on 31 May 2006, the President of India, Dr. A.P.J. Abdul Kalam, a well-known space scientist, evoked the vision of creating “wealth and prosperity in the Global Knowledge Village”. Three years earlier, addressing the “Space Summit” of the Indian Science Congress, he cautioned: “We must recognize the necessity for the world’s space community to avoid terrestrial geopolitical conflict to be drawn into outer space, thus threatening the space assets belonging to all mankind.”

The importance of the peaceful applications of space technologies for all countries was strongly underlined in the conference organized by the United Nations Institute for Disarmament Research (UNIDIR) on 30 and 31 March 2006 on “Building the architecture for sustainable space security”. A representative of the Indian Space Research Organization (ISRO) made a presentation at that conference on how India has been harnessing space-based assets for its social and economic development.

India has placed satellites in outer space to establish global connectivity, eradicate illiteracy, provide health security, improve navigation and meteorological services, optimize the management of natural resources and the environment and cope with natural disasters. A more recent application has been the setting up, across India, of village resource centres as a single-window delivery mechanism for a variety of space-enabled services, including tele-education, tele-medicine and interactive advisories on land and water management.

There has thus been a dramatic acceleration, in recent years, in the peaceful uses of outer space and in international cooperation for this purpose. There has also been an increased potential, in particular for the developing countries, to leapfrog and become full participants in the technology-based global economy of the twenty-first century. India, for instance, has in the past year signed agreements with the Russian Federation and the European Union for cooperation in their GLONASS and Galileo programmes respectively, and ISRO’s *Chandrayaan* mission to the moon in 2008 will carry lunar surface mapping instruments from Bulgaria, the European Space Agency and NASA. A connectivity mission between India and the countries of the African Union is also being pursued to provide both communication links and a range of space-enabled development-oriented services.

Given our increasing efforts to use outer space for developmental purposes and the all-pervasive application of space technology for almost every aspect of modern life, my delegation would like to emphasize the importance of the security of assets based in outer space and the enormously harmful consequences of any threat to them. We therefore strongly support the quest to upgrade the present international legal framework for regulating space activities, set at the relative infancy of the development of space technology, and to strengthen existing space law for the peaceful use and exploration of outer space. The placement of weapons in outer space may herald a new arms race and disrupt the peaceful uses of outer space. Respect for the safety and security of space assets and the capabilities of all countries is a prerequisite for ensuring the continued flow of space-enabled services to all countries, including developing countries. We hope that our work in the Conference will contribute to this goal.

(Mr. Prasad, India)

Soon after the launch of the sputnik in 1957, and notwithstanding the competition of the cold war, the international community embraced the idea of the use of outer space exclusively for peaceful and scientific pursuits. This became the accepted global norm the very first time the United Nations General Assembly considered the “Question of the peaceful use of outer space” in 1958 and encapsulated it in its resolution 1348 (XIII). Conscious that space exploration had opened new possibilities for the improvement of the life of humankind, it also created the Committee on the Peaceful Uses of Outer Space (COPUOS) to harness outer space activities for cooperative mutual gain.

COPUOS has since developed five outer-space-related treaties, including the Outer Space Treaty, which constitutes the cornerstone of the international legal framework for the peaceful use of outer space. Its four core principles are that the exploration and use of outer space shall be carried out for the benefit and interest of all countries, that outer space will be the province of all mankind, that outer space shall be free from exploration and use by all countries, and that parties to the Treaty undertake not to place in orbit around the earth any object carrying nuclear weapons or any other weapons of mass destruction. The Final Document of the first special session of the United Nations General Assembly devoted to disarmament stipulated that, in accordance with the spirit of the Outer Space Treaty, further measures should be taken and international negotiations held “in order to prevent an arms race in outer space”. We look upon our current activity in the Conference as a step towards attaining that objective.

The issue of the prevention of an arms race in outer space has been on the agenda of this Conference since 1982, and an Ad Hoc Committee on PAROS functioned for a decade from 1985. The Committee was engaged in examining, as a first step at that stage, through substantive and general consideration, issues relevant to the prevention of an arms race in outer space. The issue remains as relevant today as it was then, if not more.

India supports the establishment of an ad hoc committee of the Conference to deal with the issue of PAROS as outlined in the A5 proposal. We believe that it provides a good basis for commencing our work on PAROS, which India stands ready to join.

We welcome the initiative of China and that of your delegation, Mr. President, in presenting working papers and non-papers dealing with various aspects of the issue before us. They are most useful in enabling a better understanding of the different dimensions of outer space security. We compliment those delegations that have invited their experts to join in our deliberations. Their contribution would enrich our debate and enable us to fully appreciate the technical and legal aspects of the challenge we face today.

My delegation’s approach to a programme of work of the Conference has been consistent: any solution to end the current impasse must be responsive to the security concerns of all the constituents of the Conference. We do, therefore, very much hope that our deliberations on PAROS during this week and structured discussions on the other remaining issues on the agenda of the Conference will pave the way to reaching a consensus allowing the Conference to begin its substantive work, which is its principal vocation and *raison d’être*.

The PRESIDENT (translated from Russian): Thank you for your statement and for the kind words addressed to the Chair. I now give the floor to the representative of Austria, speaking on behalf of the European Union. Ambassador Petritsch, you have the floor.

Mr. PETRITSCH (Austria): Mr President, I have the honour to take the floor on behalf of the European Union and the acceding countries Bulgaria and Romania. Since this is the first time I am speaking during your presidency I wish to congratulate you on your assumption of the post of President of the Conference on Disarmament. I can assure you, as well as the incoming CD Presidents, of our full support in your efforts to guide and lead this august body. Let me also take this opportunity to express our gratitude to your predecessor, Ambassador Costea of Romania, for the efficient and able manner in which he guided our work throughout the focused structured debate on FMCT. It is important to keep up the momentum on this issue.

The EU and its member States are conscious of the growing involvement of the international community in outer space activities for development and progress, and of the increasing dependence on outer space for their economic and industrial development as well as their security. We are also actively cooperating in various space initiatives. Such activities should be developed in a peaceful environment: an arms race in outer space should be prevented. Such prevention is an essential condition for the strengthening of strategic stability and for the promotion of international cooperation in the free exploration and use of outer space for peaceful purposes by all States.

We recognize a growing convergence of views on the elaboration of measures to strengthen transparency, confidence and security in the peaceful uses of outer space. We recall that the EU countries unanimously voted in favour of United Nations General Assembly resolutions 60/66 on transparency and confidence-building measures in outer space activities and 60/54 on the prevention of an arms race in outer space.

The EU therefore appreciates the attention given so far by the CD to PAROS and the P6 decision to dedicate a focused structured debate to the issue.

The risk represented by “space debris” for the operability of all space activities is an additional source of concern. From this point of view, the activity of the Committee on the Peaceful Uses of Outer Space (COPUOS), including on “space debris”, seems relevant to the CD deliberations. Some form of interaction between the work in the CD and COPUOS would therefore be desirable.

Discipline in the launching of objects into space is fundamental to space security. In this context, the EU underlines the role of the Hague international Code of Conduct against Ballistic Missile Proliferation and the need for its further universalization. The adoption of other measures of transparency and confidence-building, as conducive and complementary to the prevention of an arms race in outer space, should be discussed as a first step.

Since the Conference on Disarmament is the single international multilateral negotiating forum for disarmament, it has the primary role in negotiating the prevention of an arms race in

(Mr. Petritsch, Austria)

outer space. As we have stated on previous occasions, the EU supports the establishment of a subsidiary body in the CD to deal with this matter on the basis of a mandate, which will be the subject of an agreement by all.

The PRESIDENT (translated from Russian): Thank you very much for your statement and for the kind works extended to the Chair. I now give the floor to the representative of South Africa, Ambassador Mtshali.

Ms. MTSHALI (South Africa): Mr. President, as this is the first time that I take the floor under your presidency, please allow me to congratulate you - and your country - on presiding over the Conference on Disarmament.

The possibility of the weaponization of outer space remains of concern to the international community, and general concurrence exists that an arms race in outer space should not be allowed to develop. This is born out by various General Assembly resolutions addressing the question of an arms race in outer space, as well as the fact that the matter remains under discussion in the Conference on Disarmament. For some time now, the issue of PAROS has formed part of the so-called "core issues" of the Conference.

My delegation has already in various international forums expressed its concern about development that could prompt a new arms race on earth and in outer space, and has cautioned against any action that could lead to the weaponization of outer space. In fact, not too long ago in this very chamber, we expressed the view that the international community could not allow outer space to become the next battleground. We still firmly adhere to this view.

Various views have been expressed that an arms race in outer space does not exist at present and that it would be premature to focus attention on the weaponization of outer space. However, it is more than probable that if one State should start pursuing the weaponization of outer space, others will inevitably follow. If we wait for space to become weaponized before we take action, it will not be too long before we have to address the non-proliferation of weapons in outer space. This will not only be too late, but it will also reflect the fact that the CD has missed a golden opportunity to be proactive.

It is for this reason that South Africa remains supportive of the view that the Conference on Disarmament should establish a subsidiary body to address the prevention of an arms race in outer space, including the possibility of negotiating an international instrument on the matter.

Whilst many delegations have contributed to the debate on preventing an arms race in outer space, my delegation particularly appreciates the efforts of the Chinese and Russian delegations and their ideas on moving the process forward. In this regard, their recent paper on "Transparency and confidence-building measures in outer space activities and the prevention of placement of weapons in outer space" provides further food for thought on this important topic. My delegation shares the view that a commitment by all States not to place weapons in, and to prevent the weaponization of, outer space would be an extremely important confidence-building measure.

(Ms. Mtshali, South Africa)

Just two weeks ago we completed extensive discussions on the various elements relating to the banning of the production of fissile material for nuclear weapons or other nuclear explosive devices. However, for several years now, the CD has been unable to agree on a programme of work, in part due to linkages between issues such as PAROS and a fissile material treaty. We welcome the flexibility shown by most delegations that could facilitate the adoption of a programme of work, and would reiterate our appeal to all members to set aside their differences for the greater good of allowing the Conference to recommence substantive work on the items on its agenda.

The PRESIDENT (translated from Russian): Thank you for your statement, Madam Ambassador, and for the kind words addressed to the Chair. I now give the floor to the representative of Sri Lanka, Ambassador Sarala Fernando.

Ms. FERNANDO (Sri Lanka): Mr. President, since this is the first time my delegation is taking the floor under your presidency of this Conference, I take this opportunity to extend our sincere congratulations and also to compliment the serious, careful manner in which your presidency has been prepared. You may, of course, count on the full support of my delegation and myself personally as a Friend of the President to contribute to the successful conclusion of your task. We appreciate the impressive compilation of the basic documents on PAROS put together by the secretariat.

In your opening statement on 1 June, you stated that today's plenary would be devoted to the subject of the importance of PAROS. Sri Lanka also supports the statement to be made shortly by the Indonesian Ambassador on behalf of the G21. Sri Lanka's active engagement on this issue is well known and dates back at least to the early 1980s, when, with like-minded developing countries in the Group of 77, we called for the preservation of outer space as the common heritage of all mankind, to be used in cooperation and solely for peaceful purposes by all States. The notion that outer space should be devoted "exclusively to peaceful and scientific purposes" has an even earlier resonance in the United Nations in the joint initiative by the major space-faring nations in 1957, when the General Assembly adopted its first resolution on outer space incorporating that language (resolution 1148).

Since the 1960s we have witnessed unprecedented advances in space technology coming within the reach of an increasing number of both developed and developing countries. Fuelled by globalization, some space applications, such as in broadcasting, meteorology, navigation, education and health, environmental and crop management, and so on, have become crucial to the everyday functioning of a modern society. At the same time it is becoming clear that the line between commercial and scientific use of space technology and military use of such technology is fast blurring, to the point that there is an urgent need today to ensure that space, the last frontier of humankind, is used only for non-offensive and non-belligerent purposes. As the amazing photographs of new space exploration continue to inspire awe and wonder, we believe popular resolve will surely strengthen to keep this pristine world of space a peaceful arena for all mankind for all time.

(Ms. Fernando, Sri Lanka)

Over the past 35 years, a number of treaties and agreements have been concluded to protect assets in space, among which the Outer Space Treaty of 1967, concluded in the early years of space exploration, remains the most important. In my statement to the CD on 30 June last year we recalled the approaching fortieth anniversary of the signing of the Outer Space Treaty, and urged member States to work towards universalizing this important legal regime, which currently has 98 States parties. The WMD Commission report recently presented to the United Nations Secretary-General has in fact now recommended that a review conference of the Outer Space Treaty be held in 2007 to mark this special anniversary.

Although so far no violation of international law in space has been detected, we cannot presume that no violation will take place in the future. Rapid scientific and technological developments have increased unpredictability in the world order. During a recent seminar on space security on the sidelines of the CD, we heard from commercial space operators of preventive measures they were taking in the context of increasingly plausible threats of piracy not only from States but also non-State actors.

Over the years there has been much discussion in the CD and work done in the Ad Hoc Committee on PAROS established between 1985 and 1994 on how we may reinforce existing legal instruments. We thank the delegations of China and the Russian Federation for presenting a number of proposals and working papers on possible elements for a new multilateral legal agreement.

The PAROS resolution that Sri Lanka and Egypt cosponsor annually in the First Committee states that the CD has the primary role in the negotiation of any multilateral agreement, as appropriate, and also recognizes the growing convergence of views on the elaboration of measures designed to strengthen transparency, confidence and security in the peaceful use of outer space. There has been a view which holds that there is no arms race in outer space and would question the relevance of PAROS on these grounds. One response could be, as my delegation has always held, that preventing an arms race in outer space is an easier task than attempting to control and decelerate such a race after it has begun. Can we really afford an expensive competition in outer space when there remain so many other challenges before us such as poverty, hunger, disease and deprivation?

I would also recall that as far back as 1985 Sri Lanka proposed a moratorium on the testing and development of space weapons preceding multilateral negotiations on a treaty to prohibit all weapons in space. We see merit, therefore, in recent calls for a series of independent declarations from major space-faring nations that they would not be the first to deploy weapons in space, which would provide considerable protection to existing space assets and help build confidence in the security of space.

The PRESIDENT (translated from Russian): Thank you for your statement and for the kind words addressed to the Chair. The next speaker on the list is the representative of the Democratic People's Republic of Korea, Ambassador Ri. You have the floor, Sir.

Mr. RI (Democratic People's Republic of Korea) (translated from French):

Mr. President, I would first like to congratulate you on your election to the post of President of the Conference on Disarmament. I wish you success in your work and assure you of our delegation's active support and cooperation. I would also like to thank your predecessor, Mr. Doru-Romulus Costea, the Ambassador of Romania, for the remarkable work he accomplished during his term in the Chair.

Space is the common heritage of mankind and an area directly linked to the future development of mankind. The exploration and use of space, including the moon and other celestial bodies, must be devoted to peaceful purposes for the benefit and in the interests of all countries, irrespective of their level of scientific and technological development.

The peaceful use of space is the unanimous wish of mankind. It is intolerable for mankind's major achievements in science and technology to be used as means to threaten the existence of mankind instead of being used for the benefit of mankind and its development. However, outer space is currently being turned into an area where huge amounts of money and advanced technology are being devoted exclusively to military and strategic ends. It should be noted in particular that space is witnessing a concentration of dangers which could bring disaster to the planet owing to one country's pursuit of an aim that runs counter to the aspirations of mankind. The plan to militarize space and encourage the arms race is being carried out openly. Practical tests for the deployment of space weapons are continuing. Their budget for the militarization of space is being increased. Even the manufacture of space weapons and space shuttles for lightning attacks on ordinary ground targets is also being envisaged. The fact that existing international laws lack provisions to prevent the deployment of space weapons, as well as the abrogation of the Treaty on the limitation of anti-ballistic missile systems, the pursuit of the anti-missile defence system, etc., raise the risk that space will be transformed into a military monopoly.

The creation of a new international legal framework for the comprehensive and effective prevention of the arms race in space is urgently required in the light of the circumstances in which certain space-related conventions have been abrogated or are insufficient and aggressive threats have been made to establish a space weapons system.

The Conference on Disarmament has in the past made untiring efforts to negotiate comprehensive agreements aimed at preventing the arms race in space weapons in accordance with the relevant resolutions of the United Nations General Assembly. The delegation of the Democratic People's Republic of Korea highly appreciates the sincere efforts and attitude of the People's Republic of China and the Russian Federation in this regard. The working papers tabled by China and Russia and the seminars held on several occasions on space issues have contributed to establishing common views on the space issue and laying a solid basis for broadening the multilateral discussions. The seminars were held in a favourable atmosphere which was oriented towards finding a solution to the issue and helped increase awareness of the necessity and urgency of preventing the arms race in space weapons. The working papers are being improved on the basis of a wide variety of opinions and suggestions, reflecting the sincere approach and willingness to begin the negotiations.

(Mr. Ri, Democratic People's Republic of Korea)

As the United Nations General Assembly resolutions indicate, the Conference on Disarmament, as the sole multilateral forum on disarmament, has the primary role in the negotiation of multilateral agreements on the prevention of the arms race in space. My delegation supports the proposal for the establishment of an ad hoc committee on the prevention of the arms race in space and the initiation of negotiations on the issue. To this end the Conference on Disarmament should adopt a comprehensive and balanced programme of work in the near future.

My delegation would once again like to express its view that the Five Ambassadors' proposal will serve as a basis for our efforts to agree on a programme of work. The process of discussions we have had so far further confirms that the Five Ambassadors' proposal could serve as a basis for the comprehensive and balanced programme of work. It is my delegation's hope that the systematic debate focused on the items on the agenda of the Conference on Disarmament will contribute to establishing an enabling atmosphere for agreeing on a programme of work, which will thus lead to the negotiating process.

The PRESIDENT (translated from Russian): Thank you, Mr. Ambassador, for the kind words you addressed to the Chair and for your statement. And now allow me to make a statement on behalf of the Russian Federation.

The key aspect of the PAROS issue is the prevention of the placement of weapons in outer space. If we fail to do this, the possibility of the use of force or the threat of force against outer space objects as well as attacks from space against the earth will become a practical reality. Making outer space a theatre for military actions is fraught with the most serious consequences.

First, this would threaten the normal functioning of satellites, on which mankind increasingly depends in everyday life. Most currently operational communication, navigation, remote sensing and other satellites perform both civilian and military tasks, and therefore they will become the primary targets for weapons in space.

Second, the weaponization of outer space is akin to the emergence of a new type of WMD. It will drastically complicate the military and strategic situation. The illusion that a first strike could be launched with impunity would be created, and the surprise factor would become far more important. There will be a sharp rise in the risks associated with the short time available for taking decisions on the military use of weapons both in space and on earth. The inevitable countermeasures to check attempts to secure unilateral strategic advantages could nullify all the disarmament efforts made in the field of nuclear weapons, missiles and other areas and give a strong boost to the proliferation of WMD and their means of delivery, while provoking the emergence of new and currently unthinkable forms of terrorism.

Third, the probability of man-made disasters such as an increase in the amount of space debris would grow significantly. The threat is real - claims to dominance in outer space have been made. Funds for scientific and technological research are being allocated. The idea of the weaponization of outer space is being supported by influential lobbies. However, the threat can be removed. At present outer space is free from weapons. The decision to place weapons in

(The President)

outer space has not yet been taken. There is growing awareness of the irreversible destructive consequences of the placement of weapons in outer space. There is no technological determinism, no fatal inevitability in the weaponization of outer space - we have after all managed to say no to chemical and bacteriological weapons. PAROS is the most important item on the agenda of the Conference on Disarmament. The problem is far from imaginary. This is a topical and urgent issue. This is unarguably a disarmament issue. The stakes are very high. This directly affects the vital interests of all States, and it is a problem that can be solved. The task is to prevent something that does not yet exist, while preserving the current status quo. It is a win-win situation for all. We believe that we shall succeed in reaching agreement to start work on this issue in the Conference.

The issue of the prevention of an arms race in outer space has been formulated very correctly. It clearly focuses attention on a specific and real problem, and it is this which should be the subject of our endeavours. The Ad Hoc Committee on PAROS functioned successfully in the Conference for many years. We have already agreed on the subject of discussion when we adopted the agenda of the Conference, which includes an item on PAROS. We would also like to point out that the formula "prevention of an arms race in outer space" does not in any way imply a ban in principle on the use of outer space for military purposes. The goals of the work of the future ad hoc committee of the Conference on PAROS must not be subjected to substitution or unjustifiably broad interpretation. Russia is open to various ideas and proposals aimed at preventing an arms race in outer space and ensuring security in outer space and the safety of outer space objects. It is ready to consider them in a constructive manner. For our part we believe that the simplest, most understandable and most effective measure would be a ban on the placement of weapons in outer space and on the use or threat of force against outer space objects. If there are no weapons in outer space, there will be no place there for the use of force, nor will there be an arms race there. In this way we will be able to nip the problem in the bud.

We believe there is a need for a new treaty, new obligations covering lacunae in international law which are well known and which are becoming wider as technological progress continues. These measures must enjoy the same status as the norms and rules currently in force. They will entail inevitable limitations on national military activities and on business activities, which should be regulated under domestic legislation, including liability in the case of violations.

Finally, they should be a reliable factor in all States' national security. For this reason we believe that the future of the ad hoc committee of the Conference on Disarmament on PAROS must focus on the prospect of the drafting of a treaty on the prevention of the placement of weapons in outer space and the use or threat of force against outer space objects. This issue has already been explored fairly thoroughly and in detail thanks to the efforts of many States. I should like to express my conviction that we will be able to reach agreement on this exceptionally important issue.

In conclusion, I should like to thank the secretariat of the Conference for the basic documents of the Conference on Disarmament on the prevention of an arms race in outer space which have been circulated and are before the delegates. This is a compilation which required a lot of work by the secretariat, and we are sincerely grateful for the work that has been done.

(The President)

The compilation contains 60 documents that have been circulated and discussed in the Conference over the last 22 years. We hope that this guidebook, as it were, this compilation of documents, will prove useful in the holding of a focused discussion on this subject.

The next speaker on the list is the representative of New Zealand, Ambassador Mackay. You have the floor, Sir.

Mr. MACKAY (New Zealand): Mr. President, could I at the outset echo the thanks of others to you for leadership in providing for this debate? And could I also echo the thanks to our colleagues in the secretariat for the work that they have done in putting together the compilations of documents for this debate, which, as others have observed, shows the wealth of previous discussion on this subject and the importance that countries have attached to it over the years?

Preventing the weaponization of outer space is fundamental to safeguarding our ability to access space resources, both now and in the future, and it is in all our interests to preserve space for the development of peaceful technologies and scientific exploration.

The preservation of a weapon-free space is rightly a core issue for this Conference. It is highly relevant for all States, even for those without space programmes. The commercial and scientific applications of outer space are continually expanding for an increasingly diverse range of functions - from communications to climate change monitoring, for example. We must ensure that future opportunities for peaceful development are not compromised by militarization.

During our discussions in this CD segment on PAROS, we should take the opportunity to evaluate prospects for a more comprehensive legal framework regulating the demilitarization of space. Arguments that there is no current arms race in space, and therefore no need to address this issue, ignore the preventative benefits that adopting a precautionary approach could provide.

We are in fact not without a precedent for creating such an overarching legal framework. When the Antarctic Treaty entered into force in 1961, it reserved an entire continent which all agreed would never be militarized or used for hostile purposes. It also prohibited any type of weapon testing. In the negotiation of that Treaty, countries recognized that the peaceful and scientific potential of the area was too important to be compromised through militarization. The Treaty has indeed provided a stable framework for peaceful cooperation over the last 45 years.

It is worth noting that a key consideration for participating States in the Antarctic Treaty process was the judgement that the potential benefits for the global community in terms of peaceful uses and scientific research which could be carried out there under an agreed international treaty regime outweighed any narrower benefits to individual States which could have been accrued through weaponization or military deployment by those States.

New Zealand is committed to ongoing consideration of PAROS issues within the Conference on Disarmament. Space, by its very nature, is a global frontier, and as such, all countries have a stake in ensuring that future development of space resources is peaceful and weapon-free, and we very much look forward to the continuation of this debate under your leadership during the forthcoming meetings.

The PRESIDENT (translated from Russian): Thank you for your kind words to the Chair and for your statement. I now give the floor to the representative of Egypt, Ambassador Sameh Shoukry.

Mr. SHOUKRY (Egypt) (translated from Arabic): Mr. President, I extend to you our sincerest congratulations on the occasion of your presidency of the CD. I reaffirm to you that my delegation is very keen to support all the serious endeavours that you are making in order to reactivate the work of this Conference.

With the beginning of the second part of the annual session of the Conference, it is clear from our previous debate that the subject of PAROS was among the prominent issues that all delegations have dealt with in their statements during the plenary sessions of the Conference. We would like in this connection to welcome the Conference's renewed interest in this core issue, especially since Egypt and Sri Lanka alternate annually in submitting a draft resolution on PAROS, to the First Committee of the General Assembly. We hope in this context that this year the resolution will gain wide acceptance, as happened in previous years, in a manner commensurate with the importance of this matter, and the fact that it is directly relevant if outer space is to remain always an oasis of security and safety for the shared benefit of all humanity.

Along with the majority of States, Egypt is convinced that concluding a binding comprehensive legal instrument is the only way to remedy the clear shortcomings in the legal system relating to outer space.

The final document of the first special session of the General Assembly on disarmament states that "in order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations held". In relation to the foregoing, the relevant General Assembly resolution, 60/54, states that the Conference on Disarmament, as the sole multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the Prevention of an Arms Race in Outer Space in all its aspects. The CD has dealt in detail with all the matters related to PAROS through the work of the Ad Hoc Committee that met under the aegis of the Conference from 1985 to 1994. The conclusions of the Ad Hoc Committee which met in 1985 under the leadership of Egypt remain important given the current developments which have brought out the importance and urgency of PAROS. We hope in this regard that the Ad Hoc Committee will be re-established as soon as possible in the context of this Conference.

Egypt welcomes the efforts made by Russia and China towards concluding a future international legal agreement on the prevention of the deployment of weapons in outer space, the threat or use of force against outer space objects. These efforts represent a great step when it comes to dealing with the militarization of outer space. They are a valuable contribution to the future work of the Ad Hoc Committee on PAROS once it is established.

In our own estimation and from our own perspective, any future legal instrument on PAROS should include explicit and clear articles prohibiting the military use of outer space. It should also include provisions on cooperation and assistance ensuring that the use and exploitation of outer space will always take place for the benefit of all States regardless of

(Mr. Shoukry, Egypt)

their level of scientific and economic development, in accordance with the preamble of the 1967 Outer Space Treaty. This is all the more important in view of the growing gap between States that have outer space capabilities and those which do not.

The world is witnessing successive scientific and technological developments in the field of the commercial and scientific use of outer space. The result is that humankind depends increasingly on outer space in a growing number of areas that have a direct impact on development. Such successive developments shed the light on the international community's responsibility towards this generation and the next to work to ensure that outer space remains an arena for cooperation and use for peaceful purposes and not for military confrontation, especially since any arms race in outer space will definitely lead to destructive consequences.

Egypt believes that we cannot realize peace and security, whether on an international scale or a regional scale, through the doctrine of military hegemony or sophisticated weapon systems. Rather, security must be based on cooperation among countries. In this context, we would like to reiterate our support for initiating negotiations in the CD in order to establish a comprehensive system for the prohibition of the use of outer space for any military purposes, and to do so within the framework of a plan of action for this Conference, which would be arrived at by consensus.

The PRESIDENT (translated from Russian): Thank you for your statement and your kind words to the Chair. Now allow me to give the floor to the Ambassador of Indonesia, Mr. Puja, who will speak on behalf of the Group of 21.

Mr. PUJA (Indonesia): Mr. President, first of all, I would like to congratulate you on assuming the presidency of the Conference on Disarmament. May I also assure you of our support and cooperation in exercising this responsibility? As coordinator of the Group of 21, I am honoured to present the following statement on behalf of the Group.

The Group emphasizes the importance and urgency of preventing an arms race in outer space and the readiness of States to contribute to that common objective, in conformity with the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.

The Group also reiterates that outer space and other celestial bodies are the common heritage of mankind. The Group reaffirms that the exploration and use of outer space and other celestial bodies shall be for peaceful purposes and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development.

The Group, however, is deeply concerned over the negative implications of the development and deployment of anti-ballistic-missile defence systems and the pursuit of advanced military technologies capable of being deployed in outer space, which have, inter alia, contributed to the further erosion of an international climate conducive to the promotion of disarmament and strengthening of international security.

(Mr. Puja, Indonesia)

The Group further reaffirms its recognition that the legal regime applicable to outer space does not in and of itself guarantee the prevention of an arms race in outer space, and that the regime plays a significant role in the prevention of an arms race in that environment. For that purpose, the Group stresses the need to consolidate and reinforce that regime and enhance its effectiveness. The Group also emphasizes the urgent need for the commencement of substantive work in the Conference on Disarmament on the prevention of an arms race in outer space.

The Group would also like to seize this opportunity to call upon all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space and to refrain from actions contrary to that objective. The Group also emphasizes the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space and the existing legal regime concerning its use in the interest of maintaining international peace and security and the promotion of international cooperation.

The PRESIDENT (translated from Russian): Thank you for your kind words and your statement. I now give the floor to the Ambassador of the Republic of Korea, Mr. Chang.

Mr. CHANG (Republic of Korea): Mr. President, first of all, let me join the previous speakers in congratulating you as the President of this august body. I believe your rich experience in multilateral security issues and skills will help us to maintain the momentum we have built up under the new initiative of the 2006 presidencies. My delegation would like to take this opportunity to assure you of our full support and cooperation.

Taking this opportunity, I would also like to pay tribute to Ambassador Costea of Romania for his excellent stewardship of the CD sessions. During his presidency, a draft text on the FMCT was tabled by the United States. In addition to our focused discussions on PAROS, I hope the CD will be able to start deliberations on this proposal as well.

Economic development and scientific and technological advances have enabled human activities to extend far into outer space. The application of these achievements in daily life can easily be found, ranging from broadcasting and meteorology to GPS-based technologies and services. The benefits of peaceful space exploration have become increasingly an essential part of scientific research, medical treatment and the operation of businesses. This means that all nations, both space-faring and non-space-faring, have become stakeholders in safeguarding the peaceful use of outer space. But we cannot take the peaceful use of space for granted. The possibility of an arms race using advanced space and related technologies, as well as the proliferation of space debris, by-products of increased space activities, all give rise to an important question, namely, how should we safeguard the uninterrupted and free use of outer space for peaceful purposes?

In this vein, my delegation is of the view that the prevention of an arms race in outer space is a relevant international security issue rightly to be dealt with by the CD. In this regard, I would like to express my delegation's appreciation to both the Russian Federation and the People's Republic of China for their invaluable contributions through the distribution of working

(Mr. Chang, Republic of Korea)

papers and the holding of seminars. We hope that the focused debates on PAROS issues during the current sessions under your presidency will contribute to a deeper understanding and the further development of our discussions on important related issues.

As for the substantive issues identified in CD document CD/1769, I would like to share with you my general thoughts on two issues.

First, definitions of such essential elements as outer space, space objects, military (peaceful) use, etc., need to be explored in depth. However, we should be careful as well not to get bogged down in an endless debate, as has taken place in other forums, such as COPUOS.

Second, confidence-building measures constitute one of the most important aspects of the whole process. These may include building up support for an effective regime, readiness to negotiate it and, once agreed upon, the full and effective implementation of it. For this, we may need to start by seeking ways to strengthen effective compliance by current space-faring nations with existing agreements, such as the Registration Convention of 1975. These efforts could be complemented by the universalization of pre-launch notifications under the Hague Code of Conduct against Ballistic Missile Proliferation.

Mr. President, having said this, I would like to assure you that my delegation is ready to participate in the exchange of views on these and other issues during the focused discussion sessions.

All international security forums, including the United Nations First Committee and the NPT Review Conference, have long supported the idea of studying possible threats in outer space and ways to prevent their realization. The problem we are facing in our common efforts to move forward may be attributed to suspicions about the strategic motives of the major Powers on both sides of the debate. Addressing this will require building up trust based on the existing commitments and taking a gradual approach, starting by addressing easily agreeable and immediate issues and eventually leading up to the more complex and difficult ones. We can also try to build on progress made in other space-related forums as well.

The PRESIDENT (translated from Russian): Thank you for your statement and the kind words addressed to the Chair. I now give the floor to the Ambassador of Sweden, Ms. Elisabet Borsiin Bonnier.

Ms. BORSIIN BONNIER (Sweden): Mr. President, let me very much welcome and congratulate you on the assumption of your presidency. The excellent preparations made for the focused and structured debate on PAROS shows that we are in good and experienced hands. I pledge my delegation's full cooperation with you.

Before making some general national remarks on the issues at hand, I wish to underline that Sweden supports the statement already made by Ambassador Petritsch on behalf of the EU.

For today's session you have asked us to give our views on "the importance of the issue".

(Ms. Borsiin Bonnier, Sweden)

Preventing an arms race in outer space and preserving it for peaceful uses has been a twin priority for the international community for nearly half a century. It remains a priority for my Government. Over the years a number of treaties have evolved, making up an important international legal regime regulating the peaceful uses of outer space. The long-sought prohibition of placing weapons in outer space is still eluding us, but it is as urgent as ever.

Let us not forget that outer space is a fragile environment which belongs to all mankind. The benefits of the free and peaceful exploration and use of outer space should serve us all. And we all have a shared responsibility to protect it.

We are seeing the rapid development of space technology and its uses. Not so long ago exploring space technology was the prerogative of only a few countries. Now, more and more nations are directly and actively involved, and today they add up to more than 100. Also, more and more scientific areas are benefiting from it. Furthermore, in this age of globalization, our societies are actually becoming dependent on space technology for economic and technological development. In other words, we all have a very real stake in what is happening in outer space.

The inherent dual-use nature of space activities underlines why we need to address space security in a comprehensive and coherent manner. While in the CD we should aim at a mechanism or instrument for a clear-cut prohibition of weaponization of outer space, other concepts should also be fully explored, such as transparency and confidence-building measures, codes of conduct and rules of the road. My delegation has on several occasions called for closer links between the CD and the essential work being done, for example, in the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS). We have also held that the deliberations on non-weaponization of outer space should benefit from the perspectives of the overall space sector, including both military and civilian stakeholders.

Protecting outer space for peaceful uses is intimately linked to preventing the weaponization of outer space and the use or threat of use of force from or against objects in outer space. Outer space is today used for a number of military purposes, such as surveillance, communication, navigation and targeting. Space-related assets and capabilities are, and I believe will continue to be, part of modern military doctrines.

But so far no strike weapons have been placed in outer space. Nor do we know of any such weapons deployed elsewhere for direct use against satellites or other objects placed in outer space. States and commercial entities can still place objects in space under the assumption that they will not be threatened or attacked.

Breaking the barrier of weaponization would certainly have immediate and serious effects not only on strategic stability and the military planning of the major space-faring nations, but also on all space-related activities. And it would most likely provoke countermeasures with the risk of triggering an arms race in outer space. The notion that introducing weapons and the threat of force into outer space could be a sustainable way of securing strategic advantage and legitimate defence objectives is in my view fundamentally flawed. It would threaten the very benefits and developments it is supposed to protect.

(Ms. Borsiin Bonnier, Sweden)

One special feature of outer space is its asymmetric aspect. Developing a functioning weapon capability in or directed against outer space is an extremely complex and expensive endeavour, but the potential countermeasures could be much less “high-tech”. The intentional creation of large amounts of “space debris” would, for example, damage not only any space-based weapon, but also make parts of space unusable for essential peaceful purposes.

Every year a resolution is adopted in the United Nations General Assembly reaffirming the importance and urgency of preventing an arms race in outer space, while reiterating the primary role of the CD in negotiating an appropriate multilateral agreement, or agreements, to deal with this matter. Up to now the CD has failed to substantively move this issue forward. Last year we suffered a further setback through the no votes of a few States on the traditional PAROS resolution, as well as on the new resolution on the possibility of exploring further confidence-building measures in outer space.

The coming week of formal and informal plenaries devoted to PAROS will hopefully be used by all States to further our understanding of ways and means to prevent the weaponization of outer space. The active participation of national space experts will surely be beneficial to this purpose.

Last year my delegation also made clear that the issues of space security and the prevention of the weaponization of outer space are too important to be paralysed by the inability of the CD to agree on a programme of work. Substance matters more than form, and all possible venues and formats must, if necessary, be considered. Nevertheless, I do believe that it is still within our grasp to make progress on PAROS in this year’s CD session. Sweden, as was also expressed by the EU, supports the establishment of a subsidiary body at the CD to deal with this matter. I hope that you, Mr President, will help put us on the road forward.

Before concluding, I would also like to draw attention to the report of the international Weapons of Mass Destruction Commission which was released last week. It contains some interesting ideas and proposals relating to the prevention of an arms race in outer space, including the possibility of an additional protocol to the Outer Space Treaty prohibiting all weapons in outer space.

The PRESIDENT (translated from Russian): Thank you, Madam Ambassador, for your statement, your warm words and wishes addressed to the Chair. Now allow me to give the floor to the Ambassador of the Netherlands, Mr. Landman.

Mr. LANDMAN (Netherlands): Mr. President, with your permission, allow me first to associate myself with your word of welcome to the new Ambassador of Slovakia, my dear friend Ambassador Pinter, whom I happen to know very well because of our joint cooperation in a previous assignment.

Secondly, I would like to wholeheartedly commend the initiative of the secretariat, and in particular the new Deputy Secretary-General - and I am referring here to the note by the secretariat which was circulated with a very interesting and promising content as regards the

(Mr. Landman, Netherlands)

intention to enhance the services and essential underpinning of this body. I focus in particular also with respect to the website, and also the making available more speedily of the essential documents of this body.

I am also very impressed by the huge work delivered - under your guidance, really, but still the work was done by the secretariat - with the impressive book showing how much work indeed has already been done on this very important subject.

As a member of the EU my country of course fully supports the intervention made by Ambassador Petritsch on behalf of the European Union. On a national basis I would like to make some additional observations.

This year has been relatively successful for the CD so far. There are possibilities to find a way out of the deadlock that is suffocating the CD. But we need to be imaginative and creative at the same time in order to let go the now proven counterproductive notion of linkage, without ignoring the different priorities of the various member States of the CD. We need to be bold and break new ground even when this might mean taking a risk.

Let there be no misunderstanding. The Netherlands attaches great importance to an FMCT. During the thematic debates on an FMCT we witnessed the delegation of the United States of America put forward a draft treaty and a mandate for negotiations on such an FMCT. After listening carefully to all the statements and to the interesting and useful interactive discussions between the various experts that were present, it is my feeling that the CD should make the most of the momentum created. We should not waste time before allowing ourselves to contemplate how to take this issue further.

This is by no means an effort to play down the importance of the priority issue at hand under the Russian presidency. I reiterate that PAROS is of great importance to the Netherlands and we are ready to seriously engage in the forthcoming debates. Our colleague from China has been most eloquent. We totally agree that a world free of outer space weapons is no less important than a world free of weapons of mass destruction. The Netherlands has always been ready to support the various proposals, be it formally or informally, that could achieve consensus in the CD. And PAROS has been part of each of those proposals. I look forward to an open and profound discussion on the subject. After the successful clusters we had in the CD on nuclear disarmament and an FMCT, it is my strong conviction the CD is ready to add another one on PAROS.

However, taking into account the present situation, it is the opinion of my authorities that while the political climate to start negotiations on an FMCT is moving in the right direction, these other issues still need further discussion. We have said repeatedly that in our view an FMCT is the next logical step to be dealt within the CD. That certainly does not mean we do not want progress on the issue of PAROS, or any other issue of relevance for that matter. In our view the CD could and should start negotiating on an FMCT, while discussions on PAROS could be started simultaneously. When the time is ripe, these discussions could be followed

(Mr. Landman, Netherlands)

by negotiations on the issue. In this way the CD would be able to circumvent the problems that the package approach poses. It would enable the CD to break the deadlock and pave the way for substantial work again at last in this illustrious body. That would certainly be a development the Netherlands, and, we sincerely believe, the members of this body as a whole would applaud.

In conclusion, Mr. President, let me wish you every success during the upcoming debates on PAROS and allow me to commend you again on the excellent preparatory work you have done to make these focused and structured debates a success.

Tomorrow I will address these issues head-on.

The PRESIDENT (translated from Russian): Thank you very much, Mr. Ambassador, for your statement and for your kind words and wishes addressed to the Chair. The next speaker on the list is the representative of Canada, Ambassador Paul Meyer. You have the floor, Mr. Ambassador.

Mr. MEYER (Canada) (translated from French): Mr. President, I would like to begin by expressing my appreciation to the six CD Presidents for 2006, and especially yourself, our current President, for the joint work accomplished in facilitating these structured discussions on PAROS. Canada intends to participate actively in these meetings. On this score our Geneva delegation has been bolstered by an expert from Ottawa. Over the course of the coming sessions we will be presenting two Canadian papers: one which analyses gaps in existing international space law in relation to certain types of weapons, and the other which considers space verification issues.

The lack of an ad hoc committee in the CD in recent years has not prevented the holding of worthwhile discussions and the drafting of very valuable proposals both in the formal plenary sessions and in the informal meetings and other gatherings. Recently, discussions took place in the UNIDIR space security seminar which was held here on 30 and 31 March. The substantive issues and recommendations considered in the context of the seminar have an impact on the status of international peace and security in the long term, and in particular on the CD's treatment of PAROS.

In the wake of the discussions which took place in the seminar, as well as in the First Committee of the General Assembly and here in the CD, the series of structured discussions we will have this week represent an important step forward that will enable this body to resume its substantive work on space security. The recent discussions have covered the need to develop an increasingly broad concept of space security which takes into account not only the need to prevent the weaponization of outer space but also the broad military, environmental, commercial and civil dimensions of space. This broad approach to space security will help to ensure sustainable access to space and its use for peaceful purposes. As we all draw ever-increasing benefits from space assets, Canada believes strongly that space-faring and non-space-faring nations alike have an interest in ensuring that human actions do not jeopardize the current and future benefits offered to us by outer space, and that they also have a responsibility to do so.

(Mr. Meyer, Canada)

(continued in English)

Canada thinks that the work of the international community could be optimized by enhancing dialogue between the various United Nations bodies with an interest in outer space, including the Committee on the Peaceful Uses of Outer Space (COPUOS), the International Telecommunication Union, the Conference on Disarmament and the United Nations General Assembly, particularly its First and Fourth Committees. The United Nations Inter-Agency Meeting on Outer Space Activities is a useful coordination forum, and consideration should be given to strengthening dialogue on issues of common interest. Two particular domains of cooperative activity merit intensified efforts at this time, and the CD has a role to play on both fronts: first, a new international legal instrument and, second, confidence-building measures.

One key element of a multilateral architecture for space security will be the negotiation in the CD of an appropriately scoped legally binding ban on space-based weapons. Canada welcomes the contribution that many delegations have made to this end. We call upon all delegations to play their respective parts in enabling the re-establishment of a PAROS ad hoc committee to discuss and consider the possible contribution to international peace and security of a treaty to ban space-based weapons. Such discussions would represent a constructive and timely complement to recent efforts toward FMCT negotiations. Expert presentations on scope, definitions and verification related to PAROS should point the way to fruitful areas for further discussion.

Canada believes that the ongoing evolution of space activities and benefits provides a strong rationale and incentive for the global community to work together to foster a politico-diplomatic environment conducive to maintaining the benefits that space provides. CBMs represent one such path, and the establishment thereof would serve as a timely, useful and complementary measure to an eventual space-based weapons ban. CBMs are also invaluable in themselves in terms of enhancing the safety of space assets. In this light, Canada will be submitting its ideas to the United Nations Secretary-General pursuant to the resolution on transparency and confidence-building measures in outer space.

It is sometimes said that the international community should not bother with PAROS, as no arms race is in the offing. We admit to seeing this situation in a different light - rather as an exercise in preventive diplomacy, to take advantage of and codify the present non-weaponized status of outer space, so that we can all be assured that outer space continues to be available for peaceful uses by all nations. The international community has acted before to prevent the deleterious consequences for the space environment of powerful indiscriminate weapons, when the Limited Test-Ban Treaty of 1963 banned the conduct of nuclear-weapon test explosions from outer space, and again when the Outer Space Treaty of 1967 banned the placement of weapons of mass destruction in outer space.

Canada believes that the international community's collective interest in preserving secure and sustainable access to and use of space, free of space-based conventional threats, requires similar preventive diplomatic action. Redoubling our efforts to build mutual confidence

(Mr. Meyer, Canada)

and to establish an international architecture to ensure space security is our collective challenge in the CD. I am confident that this week's discussions will move us closer to responding to that challenge.

The PRESIDENT (translated from Russian): Thank you for your statement, distinguished Ambassador, and for your kind words addressed to the Chair. Now allow me to give the floor to the representative of the Syrian Arab Republic, Mr. Hussein Ali.

Mr. ALI (Syrian Arab Republic) (translated from Arabic): Mr. President, allow me to begin by congratulating you for taking on the presidency of the CD. I can assure you of the full cooperation of my delegation. My delegation would like to associate itself with the statement that was made by His Excellency the Ambassador of Indonesia on behalf of the Group of 21. I would also like to express the unswerving support of my delegation for the statement that was made by His Excellency the Ambassador of China and for the statement that you made, Sir, on behalf of the Russian Federation.

Syria is one of the States that co-sponsored the Russian/Chinese paper, CD/1679 of 28 June 2002, which contains the fundamental elements for the international convention on the non-proliferation of weapons in outer space and the use or threat of force against the celestial bodies in outer space. We reiterate our support for the earlier statements that were made by the delegations of China and the Russian Federation which were aimed at securing progress on the path to an international convention for the prevention of an arms race in outer space.

We believe that a new convention on the basis of the initiative that we have just mentioned has become absolutely essential for humanity as a whole. In this context we call once again for the creation of a subsidiary body in the CD to discuss the topic, as mentioned in the A5 proposal or initiative, which remains in our opinion the best basis to adopt a comprehensive and balanced programme for the CD.

The PRESIDENT (translated from Russian): Thank you for your kind words addressed to the Chair. Now I should like to give the floor to the Ambassador of Germany, Mr. Brasack. Mr. Ambassador, you have the floor.

Mr. BRASACK (Germany): Mr. President, since this is the first time I am taking the floor during your presidency, I wish to congratulate you on your assumption of the presidency of the Conference on Disarmament. I can assure you, as well as the incoming CD Presidents, of our full support in your efforts to lead and guide this important body. Let me also take this opportunity to express our gratitude to your predecessor, Ambassador Costea of Romania, for the efficient and able manner in which he guided our work throughout the debate on an FMCT.

Allow me at the outset to associate Germany in full with the statement on PAROS delivered a few moments ago by the EU presidency by Ambassador Petritsch on behalf of the European Union.

The right of all States to explore and use the unique shared environment of outer space for the benefit and in the interest of all humankind is a universally accepted legal principle. It is

(Mr. Brasack, Germany)

the concern and responsibility of all States to ensure that these rights are realized in the interest of maintaining international peace and security. The cornerstone of international space law is the 1967 Outer Space Treaty. This treaty places important constraints on military activity in space: it bans the deployment of WMD in space and all military activity on the moon and other celestial bodies. Germany continues to be a firm supporter of the Outer Space Treaty.

As we approach the fortieth anniversary of the signing of the Outer Space Treaty, we urge member States to work towards its universalization. It should be seriously considered that States parties assess the continued, even increased importance of that important instrument of preventive arms limitation and space security. Secure and free access to and the sustainable use of outer space must be free from man-made threats.

The other three instruments on which multilateral management of the use of space and its safety as well as security currently rest are the 1979 “Moon Treaty”, the 1972 “Convention on International Liability for Damage caused by Space Objects” and the 1975 “Convention on the Registration of Objects launched into Outer Space”.

The international community began to include an item on the prevention of an arms race in outer space on its agenda in the 1950s. Germany’s commitment to efforts to prevent an arms race in outer space was also demonstrated through our consistent support for the First and Fourth Committee resolutions of the United Nations General Assembly on this subject, as well as in the United Nations Committee on the Peaceful Uses of Outer Space and its two Subcommittees.

In 1982 the CD also put this item on its agenda. For 10 years, as was mentioned earlier this morning, from 1985 to 1994, the CD set up an ad hoc committee on PAROS which did useful work on principles, an analysis of the existing instruments and confidence-building and transparency-building measures, among others. An ad hoc committee on PAROS to be set up in the CD to deal with the issue, with a mandate as provided for in the revised A5 proposal, continues to be Germany’s clear preference.

The Chinese and Russian delegations, but also other delegations, have set out interesting thoughts on basic definitions, scope and confidence-building measures, among others, in various papers, which will serve to foster the richness of our discussions.

We also note the significant proceedings of four workshops on the topic of space security in Geneva, involving non-governmental organizations and academia in November 2002, March 2004, March 2005 and lately in March 2006.

The United Nations Institute for Disarmament Research has published an impressive series of studies on relevant issues related to space security.

We acknowledge that there is no international consensus on the need for further treaties and further legal codification of the use of space yet. Some may say that there is currently no arms race in outer space and that the current military uses of outer space for surveillance, navigation and communication are legitimate. We would point out, however, that it is an

(Mr. Brasack, Germany)

easier task - and this was mentioned by other speakers this morning - to prevent undesired militarization in outer space than to attempt to control and decelerate such a development after it has begun. This was also the wise underlying principle of the Antarctic Treaty of 1959 and the Seabed Treaty of 1971, in addition to the Moon Treaty and the Outer Space Treaty, which I mentioned earlier.

No doubt any negotiations on space weapons will be challenging and will in all probability encounter numerous difficulties relating to a broad range of issues, among them definitions and verification. But the prospect of a thorny path ahead should not prevent us from embarking on the road to a multilateral instrument against the weaponization of space. The need for it today is more obvious than ever.

Outer space, as a "global commons", is now part of everyday life for most of the planet's population, from television to telephone service, the Internet, credit card validation, weather prediction, disaster monitoring, urban planning, ATM machines and so forth. Physically, space systems are quite vulnerable to deliberate disruption.

The space environment is threatened by widespread pollution through debris, which is by nature "indiscriminate". In view of the growing saturation of the radio frequency spectrum and the crowding in the most useful orbital positions, space is gradually - strange as it may seem - also becoming a scarce resource that will need to be managed in order to avoid the emergence of conflicts.

Activities in space are increasingly of a dual-use nature. Any clear delimitations of purely peaceful uses and distinct military uses increasingly become meaningless fiction. Just as an example: space tracking and surveillance capabilities for monitoring debris, following satellites for avoiding potential collisions, inherently have a potential for offensive space applications.

A multilateral instrument that prevents an arms race in outer space will be a major contribution to a secure space. However, we have to keep in mind that space security is not only about security policy but mainly about preventing all kinds of threats for countless future generations on mankind's one and only space vessel, a pale blue dot in space, as Carl Sagan said: our earth.

The PRESIDENT (translated from Russian): Thank you, Mr. Ambassador, for your statement and the kind words addressed to the Chair. With this, we have concluded the list of speakers I have here on the issue of the importance of PAROS. Are there any other delegations wishing to speak? Yes, I see that the United Kingdom delegation is asking for the floor. You have the floor.

Ms. PATERSON (United Kingdom of Great Britain and Northern Ireland): Mr. President, may I first of all offer you this delegation's warm congratulations on your assumption of the presidency and assure you of our full cooperation? And I also want to express our gratitude to your predecessor, Ambassador Costea, for his untiring efforts during his presidency. I would also join others in welcoming our new Slovakian colleague to this forum.

(Ms. Paterson, United Kingdom)

The United Kingdom clearly fully supports the statement already made earlier on behalf of the EU by Ambassador Petritsch, but we thank you for this opportunity to present our views on behalf of the British Government on the topic of this week's thematic discussions, the prevention of an arms race in outer space, and I digress at this point to make it quite clear that Ambassador Duncan had to leave to go outside Switzerland. He stayed as long as he could to try to make the statement himself, but he is now at the airport, and I am here in his place. So we do pay great attention to what's going on in this week's thematic debate.

Discussions within the Conference on Disarmament this year have been some of the most engaging and constructive we have seen for some time, and we hope this level of participation continues throughout this week's thematic debate and beyond.

The papers that my Russian and Chinese colleagues have circulated are a helpful starting point for a debate on a topic which is undoubtedly complex and one on which consensus is difficult to reach. We continue to believe that discussion on PAROS is at an early stage and that there are many unanswered questions, not least on defining the terms of the debate. For example, as the Russian and Chinese "Compilation of comments" paper sets out, it is not a simple task to find a widely acceptable definition of what constitutes either "militarization" or "weaponization" of space. Views also differ on whether weapons used for the defensive or peaceful use of space would be classified in the same way as offensive space or anti-space capabilities.

The United Kingdom's position on PAROS and the military and civil use of space more generally remains unchanged. The focus of our policy on space is on civil and scientific uses, and we firmly believe that all States have the right to explore outer space and make the most of opportunities for scientific, economic, environmental and communications advances.

As well as these civil and scientific uses, the scope of military and national security activities in outer space has also grown. And the security benefits the United Kingdom derives from the military use of space are important. Satellite communications, mapping, early warning, navigation, sensing and treaty verification are all integral to our national security responsibilities. But that said, I would like to stress that we have no plans to deploy weapons in space.

The right of all States to benefit from the exploration and use of this unique shared environment is a universally accepted legal principle. It is the concern and responsibility of all States to ensure that these rights are realized in the interest of maintaining international peace and security. The cornerstone of international space law is the 1967 Outer Space Treaty, to which the United Kingdom is a depositary. This treaty places significant constraints on military activity in space: it bans the deployment of WMD in space and military activity on the moon and other celestial bodies. The United Kingdom continues to be a firm supporter of this.

Along with fellow EU member States, we regularly support resolution 60/54 on the prevention of an arms race in outer space (PAROS) at the United Nations General Assembly. And last year we supported the new resolution, 60/66, on transparency and confidence-building measures in outer space activities.

(Ms. Paterson, United Kingdom)

We do recognize that as national security activities in space have grown, so have concerns by some States about the risk of an arms race in outer space. We understand that some States would wish to see additional and more extensive arms control measures. However, we do not believe that there is an international consensus on the need for further treaties or further legal codification.

Therefore, at this stage, we do not claim to have answers to the many unanswered questions, but we do plan to actively participate: our technical space expert, Dr. Damien Holden, will be taking part in tomorrow's informal discussions. And we hope that the discussions tomorrow, along with the rest of the week's sessions, will be a useful opportunity to take further forward space issues collectively, and we look forward to a frank and wide-ranging debate.

The PRESIDENT (translated from Russian): Thank you, Ms. Paterson, for your statement and kind words addressed to the Chair. Does anyone else wish to speak? I see no one. And in that case we can proceed to the second issue, the scope of and basic definitions for a future international instrument. I should like to make a statement on behalf of the Russian Federation.

First of all, I should like to say that we have been moving forward quite confidently and successfully both in terms of the content of the problems we are discussing and in terms of the careful use of the time we have at our disposal. In order to save time, I am not going to read out the statement we have prepared in its entirety. You will be able to familiarize yourselves with it in its written form, which is now going to be circulated. However, I must note that all of the elements of our statement are important, and I would ask you to consider the circulated written version to be the full official text, which we can discuss subsequently together with the experts.

We hope that thorough consideration of the issues of scope and definitions will promote better understanding of the task we face, encourage further development of this initiative, strengthen support for it and facilitate the drafting of a treaty. We would like to stress that the views we are going to outline today are preliminary in nature.

Now, the question we would like to answer today can be formulated in a fairly straightforward way: what exactly is to be banned or restricted by the provisions of the treaty put forward by the People's Republic of China and Russia in document CD/1679, what is not, and why?

First of all, I would like to say that we are not proposing a treaty on the prevention of an arms race in outer space. It would be closer to the truth to call the new treaty a treaty on the non-weaponization of outer space, in other words, the non-placement of weapons in outer space, although even this would not be an exhaustive designation. It would be more correct to call our initiative a new treaty on the prevention of the placement of weapons in outer space, the use or threat of force against outer space objects.

(The President)

Let me remind you that in document CD/1679, we propose to reflect in the new treaty three basic obligations which are designed to outline the specific scope of the proposed treaty. The first obligation is not to place in orbit around the earth any objects carrying any types of weapons or to install such weapons on celestial bodies or to station such weapons in outer space in any other manner. Unlike the 1967 Outer Space Treaty, the proposal is to establish a ban on placing any kind of weapons in space - I emphasize, any kind, not just nuclear weapons and other types of weapons of mass destruction. We have in mind, first and foremost, space strike systems, anti-satellite systems and systems of radio-electronic and optical electronic jamming.

Activities related to such systems and not prohibited by existing international legal provisions can pertain to a number of areas. They include the development, testing and deployment in outer space, except on celestial bodies, of weapons other than weapons of mass destruction (for instance, anti-missile weapons or weapons for selective strikes on air, maritime or ground targets from outer space); the development, testing and deployment in outer space of anti-satellite weapons (likewise, there is no ban on the development, testing and deployment of anti-satellite weapons and other types of land-based, sea-based or air-based weapons other than outer space weapons); and the development, testing and deployment of outer space devices for radio-electronic and optical electronic jamming of systems in outer space, in the atmosphere or on the earth's surface (again, there is no ban on the development, testing and deployment of such devices based elsewhere than in outer space which are designed to attack spacecraft).

All these areas illustrate the existing gaps in international outer space law. However, not all these types of activity can be verified. For example, it would be difficult to monitor a possible new international ban on the development of these types of space weapons. Consequently the first obligation bans not the development of space weapons, but only their placement in space. Placement or non-placement is in principle verifiable, and therefore we propose banning placement specifically as something that can be verified.

Here a practical question might arise: where does placement begin, and what criteria does one use to define it? Here is our answer. We believe that a weapon will be considered to have been placed in space if it orbits the earth at least once, or follows a section of such an orbit before leaving it, or is permanently located somewhere in outer space beyond the earth's orbit. Therefore the proposed ban on the placement of weapons in outer space would not extend to ballistic missiles or their warheads in flight through outer space.

The expression "not to station weapons in outer space in any other manner" means, inter alia, that weapons will not be placed in space by launching separate elements, each of which is not a weapon, and subsequently assembling them into a weapon. This would rule out the possibility of circumventing the key restriction contained in the treaty.

The second obligation is not to resort to the use of force or the threat of force against space objects. It contains a comprehensive legal formula that prohibits any use of force against spacecraft using anti-satellite or other devices. This obligation covers a wide range of possible

(The President)

hostile actions against space objects - destruction, damage, disruption of normal operation, disruption of the operation of channels of communication with ground command and control centres, intentional modification of orbit parameters, etc. In any event, it implies a ban on such activities against space objects, not a ban on the means by which such activities can be carried out. What is meant here is that there would be no practical purpose in creating means to use force in outer space if the use of force in outer space itself is banned. This obligation, while it does not, for example, impose a direct ban on the development of non-space-based anti-satellite weapons, bans their testing using outer space objects and their use against such objects. This obligation is viewed as more verifiable than a ban on the development of such systems, which may take place in laboratories, making use of ground testing, and may thus be unverifiable.

The proposed obligations do not in any way cover supporting outer space systems with a military role used for communication, navigation, monitoring, early warning of missile launches and nuclear explosions, the provision of meteorological and geodesic information, etc. These systems are not weapons as such nor a source of the use of force or the threat of force. Quite the contrary - such military space systems are capable of playing a positive role. They help to increase national and international security and strengthen strategic stability. In order to rule out any ambiguity in this respect, document CD/1679 specifically provides that "this treaty shall not be construed as impeding the research and use of outer space for peaceful purposes or other military uses not prohibited by this treaty". In other words, nothing that is present today in outer space - and there are no weapons in outer space - would fall under any restriction or ban.

An important prerequisite for progress towards the ultimate goal is action to ensure that States which possess military space technologies will refrain from any practical activities involving the placing of weapons systems in outer space while work is under way on the new international agreement on the non-weaponization of outer space. This in particular is the idea behind the well-known Russian proposals for a moratorium on the placement of weapons in outer space and the Russian Federation's unilateral political pledge not to be the first to place weapons of any kind in outer space. We reiterate the call to all States to follow our example.

And finally, the third obligation is not to assist or encourage other States, groups of States or international organizations to participate in activities prohibited by the treaty. This is an obvious provision, a sort of non-proliferation rule intended to prevent the possibility of circumventing the first two obligations.

These are our general views on the content of the basic obligations under the proposed treaty on the prevention of the placement of weapons in outer space, the threat or use of force against outer space objects. Now a few words concerning the problem of terms and definitions in the new treaty. This topic has already been raised in the statements of a number of delegates.

During the discussions on the proposed basic elements of the new treaty, diverging views emerged as to whether it would be appropriate to draft and include provisions on terms and

(The President)

definitions. Some in favour of the inclusion of such provisions argue that the lack of explicit definitions of such terms as “outer space”, “space weapon”, “outer space object” and “peaceful use” might lead to divergent interpretations of the provisions of the future treaty. Others argue that there is no need to supply definitions of terms because disagreements among the various sides will make it both difficult and unnecessary to reach consensus on the definition of many terms. Lengthy discussions on the definition issue might hinder the rapid achievement of political consensus on issues related to preventing the weaponization of outer space. Meanwhile, the drafting of the new treaty is both a topical and an urgent issue, and it is becoming ever more topical and urgent. Those who share this view cite the example of the 1967 Outer Space Treaty to argue that a treaty which does not contain provisions with definitions of terms might not necessarily lead to legal disputes.

Given the divergences in views on the issue of terms and their definitions, there seem to be two feasible alternatives today, and, irrespective of which option will finally prove preferable to all the parties concerned, it would appear useful to offer some preliminary considerations with respect to the definitions of some key terms. Here we would point out that the considerations presented below are put forward strictly in the context of the discussion of the future treaty as proposed in document CD/1679.

The starting term is “outer space”. The issue of its definition is a question of how to demarcate the boundary between outer space and the atmosphere. Many specialists and experts have long been discussing this topic, and have proposed the following definition of the term “outer space”: “Space beyond the elevation of approximately 100 kilometres above sea level of the earth”. We agree with this wording.

The next key term is “outer space object”. Here two questions arise. The first is whether or not to introduce a definition of this term, since the notion of outer space has yet to be developed. The second question is whether or not to include in this definition objects moving on suborbital trajectories in relation to the earth. If we adopt the suggested definition of outer space, the first question becomes irrelevant. The answer to the second question is most frequently based on recognition that objects moving on suborbital trajectories in relation to the earth, for example ballistic missile warheads whose trajectories may pass beyond the elevation of approximately 100 kilometres above terrestrial sea level, should not be included in the definition of the term “outer space object”. Should this approach be adopted, the obligation not to resort to the use of force or the threat of force against outer space objects would not involve a ban on the use of force against ballistic missile warheads, i.e., it would not ban ballistic missile defences.

Bearing this in mind, we could propose the following definition of an “outer space object”: “Any device designed for operation in outer space which is to be launched into orbit around any celestial body or which is in orbit around any celestial body or on any celestial body except the earth, or leaving orbit around any celestial body towards that celestial body, or moving from any celestial body towards another celestial body, or placed in outer space by any other means”. I understand that to a listener it is very hard to grasp what is meant by this movement from one celestial body to another, and that is why all this has been put in writing,

(The President)

and fairly persistent efforts will be required to study this wording carefully. But I make so bold as to assure you that the best minds not only from Russia but from the world community have worked on this, and we hope that you will also find this acceptable.

Finally, there is another key term on which we must linger - “weapons in outer space” or “space weapons”. Within the context of document CD/1679 we propose to deal with weapons placed in outer space, i.e. space-based weapons. These are the weapons that are subject to the ban imposed by the key obligation of the proposed treaty. We would remind you that under this approach, protection of space objects from the use of force or the threat of force is ensured not by means of an additional ban on weapons placed elsewhere than in outer space, but by means of a comprehensive obligation not to resort to the use of force or the threat of force against outer space objects. Taking this into account, the term “weapons in outer space” could be defined as follows: “Any device in outer space, based on any physical principle, which is specially produced or converted to eliminate, damage or disrupt the normal functioning of objects in outer space, on earth or in the earth’s atmosphere, or to eliminate a population or components of the biosphere that are critical to human existence, or to inflict damage on them.” This is the proposed definition for the term “weapons in outer space”.

With respect to the new treaty proposed in document CD/1679, possible definitions of a number of other terms and concepts could also be considered. However, they would be less important in defining the scope of the treaty that we propose than the definitions of “outer space”, “outer space object” and “weapons in outer space”. The definitions of these key terms as suggested by us give a sufficiently clear outline of the boundaries of the proposed new bans.

Given the rather lengthy discussion in the United Nations Outer Space Committee on some of the above-mentioned terms, the following steps could be taken to speed up work on the proposed draft treaty on the prevention of the placement of weapons in outer space, the threat or use of force against outer space objects. First, work on the main definitions could be continued, on the understanding that they would be applied in the new treaty solely for the purposes of this particular treaty and without prejudice to discussions in other forums. Second, realizing the difficulties involved in reaching agreement on definitions, we could, as with the 1967 Outer Space Treaty, refrain from including a special section with definitions in the new treaty. The specific scope of the future treaty could be indicated if necessary by means of appropriate additional provisions in the treaty itself. Third, we could at this stage pursue both options and then later make the necessary choice between them in the light of the outcome of future discussions.

These are some general considerations with respect to this important topic of scope. We hope that they will prove useful for our further discussion, in particular in the informal exchange of views which is scheduled for tomorrow.

On the speakers’ list for this topic I have the Ambassador of the Republic of Belarus, Mr. Aleinik. You have the floor.

Mr. ALEINIK (Belarus) (translated from Russian): Mr. President, since we are taking the floor for the first time under your leadership, allow me to congratulate you on taking up the post of President of our forum and express the wish that your work will be crowned with success and, most importantly, results.

The Republic of Belarus views the problem of preventing an arms race in outer space as one of the most high-priority areas in international security and arms control. We believe that the key legal obligations set out in the international legal instruments which directly regulate the activities of States in this area continue to be the 1963 Partial Test-Ban Treaty, the 1967 Outer Space Treaty and the 1969 Moon Agreement. The other extremely important international agreements which are of interest for our discussion today include the 1968 Agreement on the Rescue of Astronauts, the 1972 Convention on International Liability for Damage caused by Space Objects and the 1975 Registration Convention.

The Republic of Belarus believes that all the above-mentioned agreements have played a specific role in preventing an arms race in outer space and to a certain extent have defined the parameters of the international liability of States in their activities involving peaceful space research and exploration. In this connection, Belarus is in favour of strict observance by all States of the provisions of the international legal instruments I have mentioned. We also support the process aimed at securing universal adherence to these agreements.

At the same time, Belarus recognizes that there are some gaps in current outer space law. The active development of space technologies and the increase in the number of States with outer space programmes means it is necessary to continue work to adopt additional legally binding norms aimed at preventing an arms race in outer space. Here we take into account the provisions of article III of the 1967 Outer Space Treaty, which states that activities in the exploration and use of outer space should be carried out in accordance with international law, in the interest of maintaining international peace and security. In this connection, Belarus has consistently supported the draft United Nations General Assembly resolution on the PAROS issue.

At the Conference on Disarmament we have consistently spoken in favour of starting negotiations on a draft treaty on the prevention of the placement of weapons in outer space. In this context Belarus welcomes document CD/1679 as well as other joint documents presented in the Conference in 2004, 2005 and 2006 by the delegations of the People's Republic China and the Russian Federation.

In our view, the Chinese and Russian proposals make a significant contribution to resolving the problems involved in dealing with certain gaps and unresolved problems in current agreements in the field of outer space law. We believe that first and foremost, the future agreement on the prevention of the placement of weapons in outer space should make good the serious lacunae in the 1967 Outer Space Treaty. In particular this instrument does not ban placing in orbit around the earth objects containing non-WMD weapons, constructing any kind of military infrastructure in orbit around the earth, testing new types of non-WMD weapons or

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carrying out military manoeuvres. In this connection, Belarus welcomes the proposal on the desirability of including in the future treaty on the prevention of the placement of weapons in outer space wording similar to that contained in articles 2 and 3 of the Moon Agreement, for example as follows:

“1. Activities in orbit around the earth shall be carried out in accordance with international law, and also in the interest of maintaining international peace and security and promoting international cooperation and mutual understanding.

“2. Any threat or use of force or any other hostile act or threat of hostile act in orbit around the earth is prohibited.

“3. It is likewise prohibited to use an orbit around the earth to commit any such act in relation to any celestial body in the solar system, including the earth, or to spacecraft, their crews or other man-made space objects.

“4. It is prohibited to place devices carrying any kinds of weapons in orbit around the earth or other celestial bodies or to place or use such weapons on or in the moon or other celestial bodies.

“5. The establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military manoeuvres in orbit around the earth or other celestial bodies shall be forbidden.”

The Belarusian delegation believes that the text of the treaty on the prevention of the placement of weapons in outer space should include the following basic definitions: “peaceful purposes”, “peaceful use”, “permitted military activity”, “space object”, “weapons” and “trajectory”. Belarus agrees that the drafting of the new international legal agreement in the area of PAROS should be designed to prevent the weaponization of space, in other words, to prohibit the deployment of weapons that could be used to attack earth targets or spacecraft, and also to create impediments to their operation.

The use of the word “militarization” in this particular instance is not appropriate, because spacecraft have been extensively used for defence purposes such as reconnaissance, monitoring and communications since the early days of astronautics. Belarus calls for the inclusion in the future treaty in the area of PAROS of provisions placing an obligation on States parties to declare their activities in relation to planned or actual launches of spacecraft. We consider in this connection that the 1975 Registration Convention is an important source for the drafters of the treaty on prevention of the placement of weapons in outer space.

We believe that including a mechanism on notification in the future treaty will enhance transparency in the activities of States in the use and exploration of outer space and will also help to ensure the safety of traffic in circumterrestrial outer space. On the whole Belarus will be ready to support proposals for the inclusion of verification provisions in the future treaty on PAROS if the necessary consensus is reached during the negotiations on this subject. At the

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same time we will be ready to go along with proposals for the establishment or designation of an organizational structure which could monitor the implementation of the future treaty. Belarus also supports the desirability of including a dispute settlement mechanism in the treaty on prevention of the placement of weapons in outer space. We consider that the preparation of the draft of the treaty in question should be carried out by the Conference on Disarmament in conditions of the greatest possible transparency, in close cooperation with the First Committee of the General Assembly of the United Nations and also the United Nations Committee on the Peaceful Uses of Outer Space. As advocates of the preventive approach, we consider that the international community must take all possible steps to draw up the proposed treaty before the presence of weapons in circumterrestrial outer space becomes a reality. In this connection, what is important for our country is not the form of the future international agreement but its content, which should create a reliable legal instrument guaranteeing peaceful research and exploration in outer space and also preventing the placement of weapons in outer space.

The PRESIDENT (translated from Russian): Thank you, Mr. Ambassador, for your statement and for your kind words addressed to the Chair. The list of speakers is now exhausted. Does anyone wish to take the floor at this stage? I don't see anyone. We have had a very busy day, a very interesting, I think, and very important discussion of the subject on the agenda. We think that we have rather substantial food for thought, materials, documents which could be used in the in-depth discussion of this issue tomorrow during the informal meeting.

I would like to say that this meeting is going to be an informal one, and hence open only to members of the Conference and observer States. Next I would like to remind you that the next plenary meeting will be held on 13 June at 10 a.m. and the scheduled topic will be the same topic that was raised during today's discussions, i.e., transparency and confidence-building measures in outer space. We will be able to exchange views on confidence-building measures on 13 June.

The meeting rose at 12.55 p.m.