

# CONFERENCE ON DISARMAMENT

CD/PV.988  
30 June 2005

ENGLISH

---

## FINAL RECORD OF THE NINE HUNDRED AND EIGHTY-EIGHTH PLENARY MEETING

Held at the Palais des Nations, Geneva,  
on Thursday, 30 June 2005, at 10.15 a.m.

President: Mr. Wegger STRØMMEN (Norway)

The PRESIDENT: I declare open the 988th plenary meeting of the Conference on Disarmament.

Today we are going to bid farewell to our distinguished colleague, Ambassador Volker Heinsberg of Germany, who will soon leave Geneva to assume new important duties.

Ambassador Heinsberg has left his distinct mark on the Conference on Disarmament. For almost four years he has represented his country with remarkable authority, clarity of vision and diplomatic talent. Ambassador Heinsberg has been a strong consistent advocate bringing this Conference back to substantive work. He has dedicated much energy to exploring ways and means to achieve a programme of work for this Conference. This was particularly apparent during the German presidency of the Conference in 2002, when he contributed to placing the so-called "A-5 proposal" for a programme of work on the table. In addition, Ambassador Heinsberg has often brought to our attention new aspects of substantive issues that have enriched and updated our discussions. One good example is Ambassador Heinsberg's initiation of a discussion on the new threats that emerge from the possible use of radiological materials by terrorists. This and other ideas have stimulated the Conference's search for solutions.

On behalf of the Conference and on my own behalf, I should like to wish Ambassador Heinsberg and his family much success and happiness in the future.

I have 22 speakers on my list for today's meeting. I hope we will be able to finish before lunch. I will proceed, without further ado, straight to the list of speakers. The first speaker on my list is the representative of Germany. Ambassador Heinsberg, it is a great pleasure to give you the floor.

Mr. HEINSBERG (Germany): Thank you, Mr. President, for your very kind words, which really touched me. In connection with my statement, I would first like to speak on the issue which you have suggested for today's plenary for special discussion, which is PAROS, and then I shall make some concluding remarks on the state of affairs of the programme of work of the CD.

On PAROS, the rapid technological development and the political changes of the past years have made outer space an important area of preventive arms control. The importance of the civil and commercial use of outer space, as well as the dependence of highly industrialized societies on systems based in outer space, especially in the spheres of communication, navigation, environmental protection, weather forecasting and monitoring, is growing. At the same time, the military use of outer space plays a growing role, too. In view of these developments, framework regulations for the reliable civil as well as legitimate military use of outer space have become necessary in order to avoid outer space becoming an insecure area. Arms control and disarmament are not ends in themselves. They are tools to enhance

(Mr. Heinsberg, Germany)

security. The existing legal framework, prohibiting only the deployment of weapons of mass destruction, military bases and nuclear test explosions in outer space, seems insufficient and requires amendment.

Germany has clearly declared itself, together with the overwhelming majority of United Nations Member States, against deploying any kind of weapon in outer space, and is in favour of starting discussions and possibly negotiations on the conclusion of an international “agreement on the prevention of an arms race in outer space” at the Conference on Disarmament as soon as possible.

As reiterated in United Nations resolution 59/65, the CD, as the single multilateral disarmament negotiating forum, has the primary role in the negotiation of such a multilateral agreement and is invited to complete the examination and updating of the mandate contained in its decision of 13 February 1992 (CD/1125) and to establish an ad hoc committee. Against this background, Germany reiterates its support for the establishment of an ad hoc committee to deal with the prevention of an arms race in outer space, as contained in paragraph 4 of the revised A-5 proposal (CD/1693/Rev.1).

Furthermore, Germany welcomes any effort in this regard, as for example, the Russian-Chinese working paper (CD/1679) 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”, as well as the different non-papers on aspects relevant to a possible future agreement which could be used as a basis for further substantive discussion on this subject.

On the CD programme of work, looking back on four years of work in the Conference on Disarmament, I consider it a privilege that I was able, during the German CD presidency in 2002, to participate in the elaboration of the A-5 proposal, which was introduced in the CD in its first version under the German CD presidency. This cross-group proposal for a CD programme of work has received the widest support any proposal for a CD work programme has ever reached so far. We all know that a very small number of countries are not prepared to join a consensus on that proposal, or at least to bring forward amendments to make it acceptable to them. It is worth recalling that the A-5 proposal was introduced as open for amendments. I was encouraged to hear in the course of our formal plenaries on the four core issues before the CD - negotiations on an FMCT; nuclear disarmament; PAROS; negative security assurances - continuing wide support for the A-5 proposal.

Germany continues to support the A-5 proposal as the only formal proposal for a CD work programme before the CD, and continues to believe that it is a genuine compromise which should be acceptable to all member countries of the CD if there really is the political willingness - as very often stated in this room - to overcome the stalemate of the CD and bring it back to serious work in conformity with its mandate as a negotiating and not a deliberative body.

(Mr. Heinsberg, Germany)

Germany remains open to other compromise solutions if they command consensus, for example, the efforts of the Netherlands CD presidency contained in the so-called “food for thought” paper.

The CD stands for multilateralism in the area of disarmament and arms control. The political basis for multilateralism in international politics is the readiness of a State to take into account other States’ interests and positions in defining its own position and in searching for common solutions for outstanding issues. It is very often stated in this room that the security interests of States are of a special character. This is true, but this cannot be used as a pretext for inflexibility or “either my position or nothing” behaviour. Germany is convinced that the A-5 proposal for a work programme of the CD takes into account the security interests of all member States of the CD. If all member States of the CD would sincerely transform into reality their often stated political interest in genuine effective multilateralism in the area of disarmament and arms control, we could and would agree on a work programme for the Conference on Disarmament.

In conclusion, I would like to extend my best wishes to Under-Secretary-General Abe, who is joining us today, to our Under-Secretary-General Ordzhonikidze, to Deputy Secretary-General Román-Morey, to our old friend Jerzy Zaleski, to the members of civil society who are following our statements from the public gallery today, and to all delegations, colleagues and friends in the CD. My best wishes to you especially, Mr. President, for a good outcome of your presidency. My delegation will continue to support you, even if I am no longer here, and my best wishes to the Conference on Disarmament.

The PRESIDENT: I thank the representative of Germany, Ambassador Heinsberg, for his statement and for his very kind words addressed to the Chair. I should like at this point to acknowledge the presence of Under-Secretary-General Abe, who has joined us. His presence at this plenary meeting is evidence of his enduring interest in the work of this Conference as well as of his continued support for the efforts in the field of arms limitation and disarmament. Welcome, on behalf of the Conference.

The next speaker on my list is the representative of France, Mr. Despax.

Mr. DESPAX (France) (translated from French): Mr. President, I too would like to welcome the presence of the Under-Secretary-General Ambassador Abe here with us. Mr. President, you asked us to speak over five plenary meetings on major topics for the Conference on Disarmament. Today, after new issues, after nuclear disarmament, after the “cut-off”, we are responding to your fourth invitation on the topic of preventing an arms race in space, or PAROS.

In my statement, I will quite naturally draw on the statement made by the European Union as delivered in New York by Ambassador Chris Sanders of the Netherlands at the fifty-ninth session of the General Assembly of the United Nations on 19 October 2004. This statement includes three major ideas. The first is that an arms race in space must be

(Mr. Despax, France)

prevented because of the growing involvement of the international community in activities designed to ensure development and progress. The second main idea reaffirms that it is within the Conference on Disarmament, the sole multilateral forum for disarmament negotiations, that any decision on preventing an arms race in space should be taken. Finally, the third main idea as put forward by the European Union is to support the establishment of a subsidiary body here in the Conference of Disarmament to deal with this subject on the basis of a mandate agreed to by all.

This position by the European Union corresponds to the approach followed by my country, which has participated actively in the work on this topic since the beginning of the 1980s in our forum in Geneva. Since the beginning of this debate, France has been in favour of the peaceful use of outer space. As far as my country is concerned, this remains a fundamental challenge for international security. In June 2001, the French President stated that the non-militarization of space was an essential element. It had been maintained up to now despite all the temptations of the cold war and must be maintained. It would be in no one's interest to open this new Pandora's box. No one could maintain a monopoly in this area. The result would be a new arms race whose outcome would be disastrous for everyone.

This position expressed at the highest level of my Government still guides my delegation's approach. Three major principles follow from this, inter alia. The first is the principle of free access to space for all for peaceful purposes. The second, preservation of the security and safety of satellites in orbit. The third is the need to take into account the legitimate defence interests of States.

For over three years now the question of preventing an arms race in space has been dealt with at the Conference of Disarmament in conjunction with other subjects which are different in nature. We believe that this situation is artificial in many respects. We have seen both China and Russia making significant efforts to be more flexible in their position on the mandate which might be entrusted to an ad hoc committee on the subject. We also have noted the proposals contained in the non-paper proposed by Ambassador Chris Sanders entitled "Food for thought". We remain convinced that the question of PAROS, like others, should be considered independently of other subjects on its own merits.

Before concluding, and as our colleague and neighbour Ambassador Volker Heinsberg bids us farewell, I would like to remind him of the words of farewell addressed to him by my Ambassador, François Rivasseau, last week, knowing that he would not be here today. He spoke from the heart and very eloquently. I am very pleased to echo his words today and convey to our colleague and friend the best wishes of the French delegation in his future professional tasks and private life.

The PRESIDENT: I thank the representative of France for his statement and for his kind words addressed to the Chair. I now give the floor to the representative of South Africa, Ambassador Mtshali.

Ms. MTSHALI (South Africa): South Africa would like to add its voice to the good wishes that have been given to Ambassador Heinsberg for his future career.

(Ms. Mtshali, South Africa)

South Africa has already in various international forums expressed its concern over the worrisome pursuit of the weaponization of outer space. As a demonstration of this concern, South Africa has actively participated in many activities of the CD dedicated to the prevention of an arms race in outer space. This included participation in the consideration of document CD/1679, presented in 2002 by China and the Russian Federation, 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".

On an ongoing basis South Africa continues to lend its support to the United Nations General Assembly resolution on PAROS as testimony of its commitment against the weaponization of outer space that would lead to an arms race if not curbed. Presently my delegation is studying the most recent joint thematic non-paper by China and the Russian Federation on definition issues regarding legal instruments on the weaponization of outer space. South Africa welcomes this thematic non-paper, which will go a long way towards closing the gap in document CD/1679, where there is no special section on terms and definitions. My delegation also welcomes the intention of the Russian Federation and China to organize an open-ended meeting to discuss all three thematic non-papers that they have tabled before the CD. With similar sincerity we further welcome the insightful conferences and workshops that have been organized by Russia and China in collaboration with other institutions on PAROS.

We applaud the international community for taking on opportunities presented by all these activities to stress that actions should not be taken that would lead to the weaponization of outer space. In this context, it is our belief that we, as members of the international community, cannot allow outer space to become the next battleground. In our view this is exactly what would happen if we do not prevent such weaponization by measures that would ban weapons in outer space.

It is with this in mind that it is now more than ever imperative that the CD agrees, without delay, on its programme of work that would pave the way for further discussions on PAROS. This would obviously also include the possibility of negotiating an international legally binding instrument on the matter. I say this in the belief that internationally negotiated treaties in the field of disarmament have made, and will continue to make, fundamental contributions to the maintenance of international peace and security.

In conclusion, although South Africa does not have a strong view against these formal plenary meetings, we should not lose sight of the fact that their primary aim is to encourage the CD to adopt a programme of work which will anchor the obligation of the CD to negotiate disarmament measures. If we do not keep this goal in mind and continue to attend to what now appears to be customary "business as usual", we will not live up to expectations. Furthermore, we run the real risk of transforming this body from a negotiating forum into a deliberative body on disarmament.

The PRESIDENT: I thank the representative of South Africa for her statement. I give the floor to the representative of Sri Lanka, Ambassador Fernando.

Ms. FERNANDO (Sri Lanka): Mr. President, since this is the first time I am taking the floor during your presidency, let me say how pleased we are to see you in the Chair and to state that my delegation will extend its fullest cooperation towards a successful conclusion of your presidency. We would also like to welcome Under-Secretary-General Abe, who is rarely amongst us - and it is good to see you here - and to offer with other delegations a farewell to Ambassador Heinsberg as he leaves the CD for his new appointment.

Your proposal to convene the four formal plenary meetings on the items of the agenda has truly deflected the impatience of the majority of delegations, including my own, to get the CD back to work, even as we must wait for some sign of political will from capitals - in your words, "even the slightest modification of existing instructions and positions on the outstanding issues". The fact that we have had a full list of speakers so far on each of the items, I think, truly reflects the will of delegations, the majority of delegations, to get the CD back to work.

For purposes of the record, let me also state that my delegation can accept the A-5 or any other proposal that would meet consensus on a programme of work for the CD. The "food for thought" paper presented during the presidency of Ambassador Chris Sanders, which was further developed during the presidency of Ambassador Tim Caughley, represents brave efforts to take us out of the present stalemate. Many delegations during the current plenary meetings have reconfirmed our belief in the continued relevance of the CD, and we would request you, Mr. President, to try to see whether any of the practical suggestions advanced, such as for the setting up of working groups on pressing issues, could be taken forward.

Ambassador Yimer of Ethiopia will be making a statement on behalf of the G-21 a little later, to which Sri Lanka fully subscribes.

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. As we approach the fortieth anniversary of the signing of the Outer Space Treaty, we would urge member States to work towards universalizing the Outer Space Treaty, which currently has 98 States parties. For those delegations who today question the need to negotiate treaty law in the disarmament field, let me ask them to consider the level of vulnerability of the commercial, communication, verification and intelligence assets in space, if not for this existing multilateral legal regime.

My delegation would in fact argue that there is a need for ever-increasing common endeavours among all member States to prevent weaponization, so as to preserve space as a sanctuary for peaceful purposes for the benefit of all peoples. We would point out once again that it is an easier task to prevent an arms race in outer space than to attempt to control and decelerate such a race after it has begun. The world cannot afford an expensive competition in outer space when there remain so many challenges before us, such as poverty, hunger, disease and deprivation.

(Ms. Fernando, Sri Lanka)

Mr. President, in your opening statement you mentioned that we may soon celebrate a decade without agreement on a programme of work for this Conference. It is in this context that I would like to remind all of us of the important early work achieved in the Ad Hoc Committee on PAROS when it was in session, the last being in 1994. It was in the Ad Hoc Committee on PAROS, as far back as 1993, that France called for confidence-building measures in outer space to enhance the existing treaty regime and prevent the aggressive use of space. A proposal for prior notification of space launches was also presented, which was further developed elsewhere. It was in the Ad Hoc Committee on PAROS that the issue of space debris was first taken up, which is now being taken to its necessary conclusion in the Committee on the Peaceful Uses of Outer Space.

The present Russian-Chinese initiative to develop possible elements for an international legal agreement on the prevention of the deployment of weapons in outer space is an important step which we hope will contribute positively to efforts to agree on a mandate for an ad hoc committee to address this issue in the CD.

My country, Sri Lanka, and Egypt traditionally introduced at the First Committee of the United Nations General Assembly a resolution entitled "Prevention of an arms race in outer space", which calls for the recommencement at the earliest of the PAROS negotiations at the Conference on Disarmament. Over the years, our resolution has been gaining increased support, which is a reflection of the growing international interest in finding collective ways to keep space peaceful.

Last year in his address to the General Assembly, the Canadian Prime Minister proposed a course of action calling for the extension of the 1967 Outer Space Treaty to ban all weapons of mass destruction, including all weapons based in space. In this context, it may be useful to remind ourselves that the very first resolution that was adopted by the United Nations General Assembly on 24 January 1946 called for the elimination of all atomic weapons and "all other major weapons adaptable to mass destruction". Although today we tend to think of WMD in a more limited definition, the time may have come to go back to the earlier broader definition of WMD, which could cover even conventional weapons or new types of weapon systems that can be used for the purpose of mass destruction.

The PRESIDENT: I thank the representative of Sri Lanka for her statement. I give the floor to the representative of Ireland, Ambassador Whelan.

Ms. WHELAN (Ireland): The prospects of an arms race or the weaponization of outer space are already adding a new dimension to both nuclear disarmament and nuclear non-proliferation discussions. The expanding range of space applications in the technical, civil and military fields has a potential for conflicting interests about which there is a growing inevitability. With every increase in space access there are increased concerns about security and dual usage. Ireland would wish, therefore, to see the Conference on Disarmament embark without further delay on a process which could lead to an agreement on the non-weaponization of outer space. The Conference on Disarmament urgently needs to act

(Ms. Whelan, Ireland)

in relation to this matter which forms item 3 of its agenda. We must meet challenges in the space arena through the active pursuit of consensus rather than waiting for the emergence of irreconcilable interests.

A number of member States have facilitated expert meetings and seminars on the prevention of an arms race in outer space (PAROS); these have helped enhance understanding and confidence. Some have put forward new and even revised proposals at this Conference aimed at advancing our work in this area. This item of our agenda has been a key component of the respective initiatives aimed at breaking our working deadlock including, latterly, the "food for thought" paper. The compromises which have been made along the way have not been insignificant.

At the fifty-ninth session of the United Nations General Assembly in December, resolution 59/65 on PAROS received the overwhelming support of Member States, including Ireland. In that resolution we have reiterated that the Conference on Disarmament has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on PAROS in all its aspects. Moreover, we have invited this Conference to complete the updating and examination of the relevant mandate and to establish an ad hoc committee on PAROS as early as possible during its 2005 session. Regrettably, as on so many other occasions, the views of the great majority are irrelevant. We are now well into this year's session with no progress made.

My Government continues to support efforts at the CD and elsewhere aimed at creating forward momentum on PAROS. We see this as a means of ensuring a more constructive international approach to outer space as a shared global asset. We welcome the initiatives which have been taken by delegations to resolve this issue with transparency and security. We consider that the Conference on Disarmament should now take these more firmly into account and seek to advance them by marshalling the relevant technical expertise while building up the necessary confidence for a political consensus.

I finally strongly commend the statement on a programme of work made by Ambassador Heinsberg and thank him for his contribution to the CD in his period here and wish him very well for the future.

The PRESIDENT: I thank the representative of Ireland for her statement. I now give the floor to the representative of Canada, Ambassador Meyer.

Mr. MEYER (Canada): Let me first join my voice to those of others who have welcomed Under-Secretary-General Abe's presence here amongst us today and wish our colleague, Volker Heinsberg, all the very best in his future professional and personal endeavours.

My intention today is not to set forth a new Canadian position on the prevention of an arms race in outer space. That position has not changed for over two decades: all space-based weapons should be banned, and a legal instrument to give effect to this comprehensive ban

(Mr. Meyer, Canada)

should be negotiated without further delay. This goal was reiterated most recently in our Prime Minister's address to the United Nations General Assembly in September 2004, and again by our Minister of Foreign Affairs in the CD in March of this year.

No, my intention rather is to express the growing concern of my authorities at the apparent reluctance of this body to take action in this regard, a reluctance that is drawing some to consider alternative means to achieve the widely shared goal of the non-weaponization of outer space.

Instead of repeating our commitment for the nth time, we need to take the decisions necessary to get substantive work under way. As our current Norwegian President has stated recently, however, no advances will be made unless capitals exhibit the willingness to address the core issue head-on.

Despite the protracted impasse, of course, there have been some noteworthy inputs to the consideration of the PAROS issue at the CD. I would mention in this regard the dedicated discussion in the 26 August 2004 plenary, the circulation of the Russian/Chinese working paper (CD/1679) of June 2002 on draft elements for a PAROS agreement, and the subsequent thematic non-papers from these two delegations elaborating on important issues related to a proposed agreement.

We also note the significant proceedings of three workshops on the theme of space security, involving experts from governments, non-governmental organizations and academia, which were held in Geneva in November 2002, March 2004 and March 2005. These discussions served to illuminate many interesting aspects of this theme and contributed to the education of the Geneva disarmament community concerning this complex subject.

Canada's clear preference continues to be for a PAROS ad hoc committee to be set up in the CD with a mandate as provided for in the revised A-5 proposal and the "food for thought" non-paper. In this regard, we hope that the President's continuing efforts to promote the adoption of a programme of work will be crowned with success, and that this will enable the conference, inter alia, to re-establish such a Committee.

As a positive step forward in the meanwhile, Canada supports the scheduling of a series of single-topic plenary discussions in the absence of a programme of work or through a similar focused discussion in a group of experts, as has previously been suggested. Discussions on PAROS could address such specific and detailed topics as definitions, scope, transparency and verification, all the aspects necessary to conclude an eventual legally binding instrument.

CD members might also explore and evaluate various ideas for complementary action involving political commitments or undertakings relating to space security. Useful ideas already advanced on confidence-building measures have, for example, included proposals for a no-first-deployment pledge, codes of conduct for space activity and expanded

(Mr. Meyer, Canada)

commitments of non-interference with space-based national technical means (building upon existing provisions found in both bilateral accords, but also in multilateral ones, such as the CFE Treaty).

Such ideas seem to us worth considering as part of a broader space security approach. Proposals of this kind can also serve to foster a politico-diplomatic environment conducive to the negotiation of a multilateral agreement on PAROS which, to be effective, would require the support from key space-faring nations, and especially those with a space launch capability. With the benefit of its previous work on PAROS, albeit now over a decade old, and its cadre of experienced delegates, the CD is ideally suited to resume productive work on this subject of growing contemporary relevance.

As stated by my Foreign Minister in his address to the CD in March, “we continue to prefer having the Conference on Disarmament as the body responsible for this work, but if it proves incapable of including this subject in a work programme and rapidly starting work on it, we, together with others, will have to look elsewhere”.

In conclusion, Canada was pleased to note the commitment in the joint European Union/United States statement on the joint programme of work on the non-proliferation of weapons of mass destruction of 20 June of this year, which pledged cooperation “to overcome the stalemate in the Conference on Disarmament ...”. Canada stands with those who support the immediate commencement of discussions on PAROS. We are ready to negotiate, to exchange new ideas, to help marshal the necessary support from the world’s nations to prevent an arms race in outer space and keep this vital environment weapon free.

Let us agree to embark now on this crucial work.

The PRESIDENT: I thank the representative of Canada for his statement. I now give the floor to the representative of Ethiopia to make a statement on behalf of the Group of 21. Ambassador Yimer.

Mr. YIMER (Ethiopia): Mr. President, at the outset let me begin by expressing our sincere gratitude and appreciation for the tireless efforts you are exerting as President of the Conference on Disarmament. We assure you of the full support of the Group of 21 member States of the Conference. As Coordinator of the Group of 21, I am delighted to present the following statement on behalf of the Group on the prevention of an arms race in outer space.

The Group stresses that the programme of work of the Conference on Disarmament, the sole multilateral negotiating forum on disarmament, should reflect the interest and priorities of all its members and should be responsive to the issues on its agenda.

The Group of 21 reaffirms its proposal in document CD/1570 and CD/1571 on the programme of work and a draft decision, including a mandate for the establishment of an ad hoc committee on “Prevention of arms race in outer space” to negotiate specific and concrete

(Mr. Yimer, Ethiopia)

measures for the prevention of an arms race in outer space. Furthermore, in a spirit of flexibility, the group reiterates that the A-5 proposal is a viable basis for the programme of work and that further consultations on this matter should be pursued.

The G-21 would like to reiterate that outer space is the common heritage of mankind and must be used, explored and utilized for peaceful purposes and for the benefit and interest of all mankind in a spirit of cooperation.

The G-21 is deeply concerned over the negative implications of the development and deployment of anti-ballistic-missile defence systems and the pursuit of advanced military technology capable of being deployed in outer space, which has contributed to the further erosion of an international climate conducive to the promotion of disarmament and the strengthening of international security.

The Group of 21 reaffirms that the prevention of an arms race in outer space has assumed greater urgency because of legitimate concerns that existing legal instruments are inadequate to deter an arms race in outer space.

In conclusion, let me express the best wishes of the Group of 21 to Ambassador Heinsberg of Germany in his future endeavours.

The PRESIDENT: I thank the representative of Ethiopia for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of the United Kingdom, Ambassador Freeman.

Mr. FREEMAN (United Kingdom of Great Britain and Northern Ireland): Mr. President, let me start also by joining in the welcome for Mr. Abe from New York and by wishing all the very best to our colleague, Ambassador Heinsberg of Germany, for the future.

Thank you for the opportunity to discuss the subject of the prevention of an arms race in outer space (PAROS). Since the launch of the first man-made satellite, a sputnik, into outer space in 1957, mankind has achieved major advances in space exploration and use. Atmospheric observation and lunar and interplanetary exploration have become the basis for the environmental sciences. There have also been significant advances in communications, navigation, meteorology and sensing. 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 national security activities in outer space has also grown.

Although the focus of our Government's policies on space is on civil and scientific uses, the scientific benefits we derive from its use are important: satellite communication, surveillance, etc. But as more and more countries become involved in space activities, it is essential that we avoid misperceptions and mistrust by promoting clarity and cooperation. This is particularly important given the unique characteristics of the space environment and space technology.

(Mr. Freeman, United Kingdom)

Although space is relatively difficult to access, it lies not far above every nation. Operating equipment in space can be hazardous. Risks are posed by radiation, by natural meteoroids and debris from human space activities. And yet once in orbit, a satellite can move at more than 25,000 kilometres per hour, circling the globe up to 16 times a day, and providing a unique vehicle for the observation of earth.

The right of all States to share and use this unique shared environment for the benefit and in the interest of all humankind 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, of which the United Kingdom is a depository. This Treaty places important 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 Treaty. Our commitment to efforts to prevent an arms race in outer space was also demonstrated through our support for the First Committee resolution on this subject last October.

But as national security activities in space have grown, so have concerns by some States about the arms race in outer space. Some States would wish to see additional and more extensive arms control measures.

We acknowledge colleagues' concerns, but there is no international consensus on the need for further treaties, and further legal codification of the use of space would be difficult both to agree and to verify. But that said, we recognize that many States and CD partners would wish to discuss this subject as part of what they would regard as a balanced programme of work in this forum.

However, even agreeing the terms of such a discussion would not be easy and would require debate in itself. The Chinese and Russian delegations have set out some interesting thoughts on definitions in a non-paper issued this month. 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. It would seem sensible to distinguish between offensive and defensive weapon capabilities, but again, this is not an issue on which all nations agree.

Without agreeing the terms of the debate, it is difficult to discuss these important issues. Also, space represents both challenges and opportunities for verification of any arms control agreements. The vast distances of space, the sophisticated technologies of space systems and the difficulty of differentiating between systems used for both civilian and military purposes can make verification complex. At the same time, space is the most transparent of environments, open in all directions.

(Mr. Freeman, United Kingdom)

Given the difficulty of verifying or agreeing further legal treaties, we suggested last year in an informal setting that it might be a useful idea to think about adopting “rules of the road” in space, similar to those that already exist at sea. These would not be easy to reach agreement upon either, but they might have immediate benefits such as reducing the risks of accidental collisions, preventing accidents and promoting safe passage for satellites. We would welcome CD partners’ views on this informal suggestion.

In any event, we welcome the chance to discuss these important issues and, by so doing, to respond to the interest expressed in this subject by many CD partners.

The PRESIDENT: I thank the representative of the United Kingdom for his statement. I now give the floor to the representative of Peru, Mr. Salinas.

Mr. SALINAS (Peru) (translated from Spanish): First of all, I would like to say that the delegation of Peru endorses the content of the statement made by the Ambassador of Ethiopia on behalf of the Group of 21.

Ever since there has been a human presence in outer space, international law to govern such activities has been directed at avoiding the conquest, appropriation or colonization of outer space and celestial bodies. Indeed, the basic principles accepted in developing that law were those of freedom, equality, cooperation, responsibility and peaceful uses. When the United Nations General Assembly set up the Committee on the Peaceful Uses of Outer Space in 1959 to coordinate activities in space, international cooperation, the promotion of research and the development of technical cooperation programmes were assigned to it as specific functions. The intention was clear: outer space was to be used for peaceful purposes for the benefit of all. For Peru, outer space is the heritage of all of mankind and should be respected as such. Hence the special importance of the recent holding in Geneva of three seminar/workshops on the prevention of an arms race in outer space. On that occasion a number of speakers and participants agreed on the urgent need to prevent an arms race in outer space. Some have argued that there is a need to set up an international authority with effective powers in relation to the use of outer space in order to ensure that it is compatible with the development and security interests of all nations of the earth. For a variety of reasons this is not just a theoretical issue. On this occasion I will refer to what is known as the geostationary orbit, which is of particular importance in outer space, and which may be considered a scarce natural resource because it has room for only a limited number of satellites. The danger that it may be taken over and - worse still - saturated by the few States with the capacity to use it is a very real one, to the detriment of the great majority of States.

All this merely highlights the considerable complexity involved in dealing with outer space where the international community is concerned. The general welfare of mankind and its effects on all States’ economies is at stake. For Peru, the militarization of outer space can have only a negative impact on international peace and security. On the basis of the precepts of the 1966 Outer Space Treaty, we believe that it would be appropriate to negotiate a legally binding

(Mr. Salinas, Peru)

international instrument which would prohibit any deployment of weapons in outer space. We acknowledge the need to have legal guidelines which would allow a definition of the scope of such an instrument, particularly if we bear in mind that there is not yet any clear separation between what is considered airspace and outer space, nor on what we should regard as weapons, among other things. Peru, which formally supported the five Ambassadors' proposal, endorses its content, particularly the need to actively contribute to the objective of the peaceful use of outer space, thereby promoting international stability and respect for the principle of undiminished security for all. The setting up of the proposed ad hoc committee will make it possible to examine and consider the various options before us for fully complying with the spirit of the peaceful use of outer space.

Finally, Mr. President, I would like to reaffirm the keen appreciation of the Peruvian delegation for the Chinese and Russian initiative, which seeks to devise approaches that would lead to an international agreement which would protect mankind from the extraordinary danger that would be posed by an arms race in outer space.

The PRESIDENT: I thank the representative of Peru for his statement. The next speaker on my list is the representative of China, Ambassador Hu.

Mr. HU (China) (translated from Chinese): First of all my delegation would like to welcome the presence of Ambassador Abe, the Under-Secretary-General, at our meeting. Like other colleagues we would also extend our best wishes to Ambassador Volker Heinsberg for his future career and for his future life.

The Chinese delegation has always attached great importance to the prevention of an arms race in outer space, and has actively advocated the negotiation of an international legal instrument or substantive work on the issue by the CD. Our main reasons are the following: firstly, outer space is the common heritage of mankind, and its importance is growing with every passing day. The peaceful use of outer space is indispensable for countries with undertakings in communication, navigation, space flight, meteorology, remote sensing, disaster reduction and other fields of science and technology. Research statistics show that to date, countries have launched thousands of spacecraft into outer space. As human society progresses, the importance of outer space to our life will increase further.

Secondly, preventing the weaponization of space and an arms race has become ever more urgent. Because of its uniquely commanding height, outer space has been gaining ever greater military and strategic value. The post-cold-war international strategic environment has removed the barrier to occupying a commanding strategic position in outer space. In addition, the rapid development of science and technology has also provided the material conditions for outer space to become a platform for warfare. Theories and concepts such as control of outer space and space force projection are being codified. R & D is being conducted on space weapons. According to recent reports, policies for the deployment of space weapons are also under discussion. This has added new urgency to the issue of preventing the weaponization of space and an arms race in outer space.

(Mr. Hu, China)

Thirdly, the deployment of weapons in outer space will bring about a series of grave negative consequences. First, it will disrupt strategic balance and stability, undermine international and national security and do harm to the existing arms control instruments, in particular those related to nuclear weapons and missiles, thus triggering a new arms race. In addition, the deployment and use of space weapons will seriously threaten the security of space assets and risks harming the biosphere of the earth. Tests of space weapons in near-earth orbits will exacerbate the already serious problem of space debris.

Fourthly, the existing international legal regime on outer space has inherent limitations. Confronted with the danger of the weaponization of outer space and an arms race, the limitations of the existing international legal regime on outer space have been exposed: it is unable to prevent or prohibit the deployment and use in outer space of weapons other than weapons of mass destruction, and it is unable to prevent or prohibit the use or threat of force on outer space objects from earth. Furthermore, some legal instruments lack universality. For instance, there are only 10 contracting parties to the "Moon Treaty".

In view of the above, substantive work on preventing an arms race in outer space, by closing the loopholes in the existing international legal regime and preventing the weaponization of outer space and an arms race in practical terms, cannot be deferred. But how should we set about preventing an arms race in outer space?

Firstly, the increasingly extensive attention paid by the international community to the issue of weaponization of outer space is the basis of our work. The international community has made effective efforts to prevent the weaponization of and an arms race in outer space. In the 1950s the United Nations General Assembly began to include an item on the prevention of an arms race in outer space on its agenda. In 1982 the CD also put this item on its agenda. For 10 years running, from 1985 to 1994, the CD set up an ad hoc committee on PAROS which did useful work on definitions, principles, existing legal instruments, confidence-building measures and so forth. For years, the General Assembly has adopted by overwhelming majorities resolutions on PAROS reiterating that negotiating and concluding an international agreement is a leading task of the CD and requesting the CD to re-establish the ad hoc committee. No State has voted against these resolutions. The efforts of the international community have laid the foundations for substantive work in this field.

Secondly, various proposals and suggestions on PAROS, including those of China and Russia, offer food for thought. Work on PAROS is not starting from scratch. The international community has at its disposal a wealth of practical and viable proposals. In 2002 the delegations of China and the Russian Federation tabled a joint working paper (CD/1679) entitled "Possible elements for a future international agreement on the prevention of the deployment of weapons in outer space, the threat or use of force against outer space objects". Our hope is that the CD will use this working paper as a basis to negotiate and conclude a new legal instrument on outer space establishing the following main obligations: not to place in orbit around the earth any object carrying any kinds of weapon; not to deploy such weapons on celestial bodies nor station such weapons in outer space in any other manner; and not to resort to the threat or use of force against outer space objects.

(Mr. Hu, China)

CD/1679 is in the process of continued development and improvement. On the basis of an in-depth study of all the pertinent views and suggestions offered by other delegations, the delegations of China and Russia in August 2004 distributed two thematic papers entitled “Existing international legal instruments and prevention of the weaponization of outer space” and “Verification aspects of PAROS”. On 9 June of this year the two delegations submitted to the CD another paper entitled “Definition issues regarding legal instruments on the prevention of the weaponization of outer space”. It is our hope that these papers could serve as one important basis for our future substantive work.

Besides these, proposals from a number of countries and non-governmental organizations on topics such as confidence-building measures, rules of the road in outer space, security of space assets, management of space debris, a code of conduct for the prevention of incidents and dangerous military practices in outer space, and non-first deployment of weapons in outer space are all useful ideas for future substantive discussions. It is necessary to note in this connection that the major objective of our work is to prevent and stop the weaponization of outer space.

Thirdly, the re-establishment of an ad hoc committee on PAROS in the CD as a platform for our work. The CD has unique expertise on the prevention of weaponization and an arms race in outer space. It is our hope that it will be able to reach early agreement on a comprehensive programme of work, including the creation of an ad hoc committee on PAROS, so as to fulfil the mandate given to it by General Assembly resolutions, which is to play 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.

For many years China has been making tireless efforts to promote progress on the issue of PAROS. It has submitted a large number of working papers: CD/579 in 1985, CD/1576 in 1999, CD/1606 in 2000, CD/1645 in 2001 and CD/1679 and CD/1682 in 2002. It has also been one of the co-sponsors of the General Assembly resolutions on PAROS. On 21 and 22 March this year the Government of China, together with Russia, the United Nations Institute for Disarmament Research and the Simons Foundation of Canada successfully hosted an international conference on “Safeguarding space security: prevention of an arms race in outer space”, which helped deepen our understanding on the issues of peaceful uses of outer space and the prevention of an arms race in outer space.

Early agreement on an international legal instrument prohibiting the deployment of weapons in outer space and the threat or use of force against outer space objects will help to maintain the peaceful uses of outer space and contribute to the common security of all countries. Let us join together in this noble effort to make sure this immense outer space of ours will always serve the well-being of all humanity.

The PRESIDENT: I thank the representative of China for his statement. I now give the floor to the representative of Brazil. Ambassador da Rocha Paranhos, you have the floor.

Mr. da ROCHA PARANHOS (Brazil): My delegation would also like to welcome Under-Secretary-General Abe and, like others, we would like very much to wish all the best to the German Ambassador, Volker Heinsberg, a good friend who is leaving us. We wish him all happiness in his new endeavours.

As a member of the G-21, my delegation would like to say that we subscribe to the statement made by Ambassador Yimer on behalf of the G-21.

My delegation, thanks you, Sir, for the opportunity to present our views on the issue of the prevention of an arms race in outer space. PAROS is a subject which Brazil considers of undeniable relevance that should be dealt with accordingly by this forum.

Brazil sees the pursuit of nuclear disarmament as a fundamental priority of this negotiating body. We believe that preventive disarmament in outer space is to be understood in this perspective. In this context, we favour the establishment in the Conference on Disarmament of an ad hoc committee to deal with PAROS. The ad hoc committee should, at least, be framed, as a minimum acceptable basis, in accordance with the revised "A-5 proposal", as contained in document CD/1693/Rev.1.

In a broader perspective, let me also reaffirm that a balanced programme of work must encompass the simultaneous establishment of the other three subsidiary bodies, namely on nuclear disarmament - Brazil's utmost priority - on a fissile material treaty and on negative security assurances.

We are of the view that the Conference on Disarmament should embark, through the establishment of an ad hoc committee on PAROS, on a process which could eventually lead to an agreement on the total prohibition of the "weaponization" of outer space, including conventional and new types of weapons.

There seems to be increasing awareness of the need to substantively tackle the issue of PAROS in this forum, as we have seen in the statements this morning, in view of recent technological developments and huge investments being projected in certain quarters that may in fact pose a grave risk of an arms race in outer space taking place in the near future.

Many questions have been raised, including a possible distinction between "weaponization" and "militarization" of outer space, and definitions of technical terms, such as "outer space", "space weapon", "space object" and "peaceful use of outer space". All this certainly requires further technical expertise and clarification. In this context, we welcome the non-paper prepared by the delegations of China and the Russian Federation, entitled "Definition issues regarding legal instruments on the prevention of the weaponization of outer space", that has been circulated recently and is being carefully studied in my capital. This and other relevant suggestions and initiatives, including those that were promoted by the delegation of Canada, highlight the need for the establishment of an ad hoc committee on this subject here in our forum.

The PRESIDENT: I thank the representative of Brazil for his statement. The next speaker on my list is the representative of the Russian Federation, Ambassador Skotnikov.

Mr. SKOTNIKOV (Russian Federation) (translated from Russian): I would like to start by thanking and wishing all the very best to Ambassador Volker Heinsberg, and I would also like to welcome Under-Secretary-General Ambassador Abe here in this room.

The prevention of an arms race in outer space is a priority matter for the Russian Federation at the Conference on Disarmament. It is a major and urgent issue. The weaponization of outer space is a real and major threat. Its consequences would be extremely negative. Hopes to achieve domination in space with the use of force are illusory, and ultimately such ambitions would weaken rather than strengthen the security of all States without exception. At the same time, a practical possibility now exists for ensuring the safety of space objects, on which we increasingly depend in our daily lives, through preventive non-military methods that would avert the deployment of weapons in outer space. One such simple and efficient method involves filling gaps in existing international space law and securing a new comprehensive international legal agreement that would reliably block attempts to place weapons of any type in outer space or to use or threaten to use force against space objects. We are convinced that a new agreement on the non-weaponization of outer space would be in the interests of all - primarily, of course, those States which have their own space programmes, of which there are approximately 130 at present.

It is precisely for this reason that Russia has consistently called for speedy agreement on a programme of work for the Conference on Disarmament, which has accumulated vast experience in dealing with PAROS. This would allow us to re-establish the CD ad hoc committee on PAROS and pursue substantive work on a new agreement regarding the non-weaponization of outer space. In the interests of securing consensus on the programme of work, Russia has stated that it is prepared not to object to well-known compromise initiatives providing for the establishment of an ad hoc committee on PAROS not with a negotiating mandate but rather with a discussion mandate. Russia hopes that its moves towards this goal will be reciprocated. We understand that, with the re-establishment of an ad hoc committee on PAROS with this format, we will need to convince those who still have doubts about the need for a new agreement on PAROS that such an agreement is relevant, achievable and beneficial for all. We are prepared to engage in such an effort.

The main parameters of the new agreement we propose on the non-weaponization of outer space are set out in document CD/1679, and some particular aspects have been further examined in the three thematic non-papers prepared jointly by the delegations of Russia and China and distributed in the CD. Of course, nothing in our proposals is carved in stone. These are rather an invitation to a joint creative effort by all interested States. Our goal is to produce a document that would be acceptable to all. Therefore, we believe that even with a discussion mandate, the CD ad hoc committee on PAROS will have interesting and intensive work before it, not least because we have many other valuable ideas and proposals put forward by Canada, France and a number of other countries.

(Mr. Skotnikov, Russian Federation)

At times we come across the theory that the States which are most actively calling for a new international legal agreement to be devised on the non-weaponization of outer space are doing so for purely tactical or public relations purposes, in fact trying to narrow the military space technology gap or create a smokescreen for their own military preparations in space. Such talk does not correspond to the facts. Everything here has been turned upside down. Of course, assuring its own security is a priority for any State. If someone starts to place weapons in outer space, naturally we will have to react appropriately. However, the development of space weapons is not our choice. We have already stated that at present and for the near future the Russian Federation has no plans to develop any space weapon systems, or deploy them in space. Russia strictly observes the moratorium on the testing of anti-satellite systems. Last year Russia declared that it will not be the first to place weapons of any type in outer space. Our restraint as regards the military aspects of outer space is based on the same understanding that space weaponization has extremely negative consequences for everyone, and our conviction that security in space, at a time when space technologies and international cooperation are rapidly developing, can and should be achieved by complying with existing international legal agreements and drawing up new ones.

In our view there is no technological inevitability in the weaponization of space. Together it is quite within our power to block the placement of weapons in outer space and to direct progress in science and technology along a constructive track. After all, we managed to agree to ban chemical and biological weapons after we realized the catastrophic consequences of their use. We also succeeded in banning the deployment of weapons of mass destruction in outer space. It is important to bear in mind that at present there are no weapons in outer space. We are not proposing to ban or somehow limit the operation of systems in outer space that perform important information functions such as communications, monitoring, navigation, geodesy, meteorology, etc., including defence functions. These space systems can play a stabilizing role, for example as a means of verifying compliance with agreements on arms reduction and limitation, as well as ensuring the safe activities of armed forces in peacetime. In other words, nothing that is presently stationed in outer space would be subject to any limitation or prohibition. We want to prohibit the placement of any type of strike weapons in outer space. As you know, we have proposed specific definitions of the terms "deployment" and "weapons".

Efforts to ensure security in outer space and progress towards consensus on awareness of the dangers of space weaponization could be aided by devising measures of transparency and confidence-building in space activities. Such measures, which are important in themselves, could complement existing norms of international space law and could be used to verify compliance with existing and new treaties. There is a very wide variety of confidence-building measures that States could apply, including those of a voluntary nature. Let me point out in this connection that in October 1993 the United Nations Secretary-General prepared a detailed report entitled "Study on the application of confidence-building measures in outer space" (A/48/305), which contained an analysis of the potential of confidence-building measures and an extensive review of possible specific measures, building on proposals made by States at that time. Many

(Mr. Skotnikov, Russian Federation)

of these proposals are still relevant today, although over the 12 years since the study was published, life has moved far ahead and there is a clear need to update and modernize our concepts and ideas in this domain.

Russia has taken the initiative to introduce some confidence-building measures in outer space, and counts on other States which have outer space programmes following suit. For example, we have started to post on the Internet advance information on scheduled launches of space objects and their purpose.

We are grateful to the States that have welcomed Russia's declaration that it will not be the first to place weapons of any type in outer space. If all the leading space Powers were to take a similar political step, we could make a real contribution to reducing the motivation to weaponize outer space. We call again on all the States with space potential to follow our example. Today we are glad to draw your attention to the fact that last week, on 23 June, the heads of State of the member countries of the Collective Security Treaty Organization - Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia and Tajikistan - made an official statement that those countries will not be the first to place weapons of any kind in space.

Obviously, devising confidence-building measures in outer space activities cannot replace efforts to develop a legally binding instrument to prevent the placement of weapons in outer space. However, one does not contradict the other. The former logically complements the latter. Both are aimed at a single goal - that of promoting the security of outer space, strengthening mutual trust and cooperation among States in outer space, and working to prevent an arms race in outer space.

We consider the Conference on Disarmament to be the most appropriate forum for work on PAROS. This issue is the most important item on our agenda. As a result of major steps towards compromise taken by the delegations of Russia and China in order to achieve agreement on the CD programme of work, a mutually acceptable mandate for an ad hoc committee on PAROS has been practically agreed. But even before this committee resumes its work, we have an opportunity to prepare in advance ideas, proposals, non-papers, to conduct an in-depth study of specific issues. We count on being able to achieve the widest possible agreement on issues relating to PAROS. We intend to continue to focus intensively on this issue.

We would like to take this opportunity to draw attention to a summary prepared by UNIDIR of the international conference on "Safeguarding space security: prevention of an arms race in outer space", which contains a fairly detailed account of the main assessments, ideas and proposals put forward at the conference. This important and representative conference, held in this chamber in March 2005, was organized by the missions of Russia and China together with UNIDIR and the Canadian Simons Foundation. We believe that this report is most useful for future work on PAROS. Consequently, the summary prepared by UNIDIR will be issued as an official document of the Conference on Disarmament.

The PRESIDENT: I thank the representative of the Russian Federation for his statement. I now give the floor to the representative of Pakistan, Ms. Janjua.

Ms. JANJUA (Pakistan): On behalf of the Pakistan delegation, we would also like to wish the best to Ambassador Heinsberg in his future endeavours. He will be missed in the CD. We also welcome Under-Secretary-General Abe to the CD today. We fully subscribe to the statement made by Ambassador Yimer on behalf of the G-21.

We welcome this opportunity to discuss the prevention of an arms race in outer space (PAROS), which has been on the agenda of the Conference on Disarmament since 1982. In the absence of an agreed programme of work, significant informal activity has taken place on this issue, thus highlighting the necessity of addressing the non-weaponization of outer space.

With the technological revolution introducing phenomenal human achievements, our dependence on the peaceful uses of outer space is increasing. At the same time, there is growing apprehension about the possible weaponization of outer space. The G-21 has repeatedly expressed concern over the negative implications of the development and deployment of anti-ballistic-missile defence systems and the pursuit of advanced military technology capable of being deployed in space. Such weaponization, we believe, can undermine the international consensus since 1967 on the peaceful uses of outer space and start an arms race in outer space.

The 1967 Outer Space Treaty reflects international consensus on the “common interest of all mankind in the progress of the exploration and use of outer space for peaceful purposes”. This multilateral legal regime for outer space, however, bans only the introduction of weapons of mass destruction in outer space. There is a need to address new sophisticated weaponry that has immense potential for destruction.

We share the view that existing international legal instruments are inadequate to prevent the weaponization of outer space, as they do not prevent the testing, deployment and use of weapons other than those of mass destruction in outer space, do not deal with the threat or use of force from the earth against outer space objects, and lack universality.

United Nations General Assembly resolution 59/65 on the “Prevention of an arms race in outer space”, which we co-sponsored, identified a need to consolidate and reinforce the regime and enhance its effectiveness, and stated that it is important to comply strictly with existing agreements.

China and Russia, in their efforts to keep the focus on PAROS have circulated useful papers over the past few years. These papers, dealing with possible elements for an international agreement, compilation of comments and definitions, provide the intellectual input for examining a possible future legal regime on PAROS.

The G-21’s proposal for the programme of work of the CD, contained in CD/1570, calls for the establishment of an ad hoc committee to negotiate specific and concrete measures for the prevention of an arms race in outer space.

(Ms. Janjua, Pakistan)

Pakistan supports the A-5 proposal, as a compromise that establishes an ad hoc committee on PAROS with the mandate to identify and examine proposals for confidence-building or transparency measures, general principles, treaty commitments and the elaboration of a regime capable of preventing an arms race in outer space, including the possibility of negotiations for a relevant international instrument.

Considering the importance of outer space to human development, we are of the view that some work should commence on addressing the lacunae in the international legal frameworks on regulating activity in outer space. We therefore, agree that, first, as recommended by the 1993 Group of Governmental Experts, the further development of legal norms, wherever appropriate, to address new developments in space technology and increasing universal interest in its application, may be given consideration; second, that the CD has the primary role in negotiation of a multilateral agreement or agreements on the prevention of an arms race in outer space in all its aspects; and third, that the work done by the United Nations Committee on the Peaceful Uses of Outer Space should be used in developing future legal frameworks.

Finally, we acknowledge the work done by a group of countries pursuing the objective of the peaceful use of outer space, especially China, Russia and Canada. The concept of integrating the space security issue with the international community's need for secure and equitable access to space for peaceful purposes could provide an interesting basis for movement forward on this issue.

The PRESIDENT: I thank the representative of Pakistan for her statement. I now give the floor to the representative of Sweden, Ambassador Borsiin Bonnier.

Ms. BORSIIN BONNIER (Sweden): Like others, I am very glad to see Mr. Abe here with us today. I also wish to use my access to the microphone to wish Ambassador Volker Heinsberg all the best in his new and important mission.

Outer space, including the moon and other celestial bodies, is a fragile environment. The exploration and use of outer space must be assured as the province of all mankind. Secure and sustainable access to and use of outer space must be free from space-based threats and aggression.

The threat posed by the possible weaponization of outer space and the risk of a subsequent arms race are of great concern to my Government. Sweden therefore wants to see a clear regime, capable of preventing such threats to our common security on earth and to the peaceful uses of outer space.

In this context, we welcome the unilateral declaration of the Russian Federation not to deploy weapons in outer space first, and believe that its proposal for CBMs is worth exploring further.

(Ms. Borsiin Bonnier, Sweden)

Sweden has long supported the establishment of an ad hoc committee in the CD to deal with the “Prevention of an arms race in outer space”, as outlined in the A-5 and “food for thought” proposals.

Last year, in the informal plenary on PAROS, Sweden suggested that, as a first step, informal technical meetings take place in the CD involving a wider range of actors in the space field. We still believe that any discussions on the issue of non-weaponization of outer space have to involve a wider range of actors. The overall space sector, both civil and military, involves different stakeholders, and it would be important to get their different perspectives. Since space activities often are of dual-use nature and involve cross-cutting elements, any deliberations on the issue at stake would benefit from an overall perspective.

Due to the urgency of the matter, informal technical meetings are of course not enough. Forward-looking deliberations need to aim at a mechanism or instrument for a clear-cut prohibition of the weaponization of outer space.

At the same time, we must take care not to complicate in any way the important work of the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS). The existing legal regime for the peaceful uses of outer space is very valuable and should not be upset. Instead, the parallel processes to prevent the weaponization of space and to promote its peaceful uses should draw mutual benefits from each other. In last year’s General Assembly First Committee, and in line with United Nations reform, we presented the idea of inviting the Secretariat (Office for Outer Space Affairs, OOSA) to brief the First Committee on the work carried out within the frame of COPUOS, in particular with regard to the follow-up process to the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III). We are still convinced that both the First Committee and the CD would benefit from such sharing of information.

In the deliberations on PAROS, the overall security perspective of space activities should be taken into account. In this regard we welcome the “Space security index” project.

In the absence of an early commencement of substantive discussions on PAROS in the CD, other possible venues and formats for such deliberations should be considered, including such that could be established by the United Nations General Assembly. But we still hope for an attempt to bring this issue forward in the CD, which is where it most appropriately belongs.

The PRESIDENT: I thank the representative of Sweden for her statement. I now give the floor to the representative of Italy, Mr. De Benedictis.

Mr. DE BENEDICTIS (Italy): Mr. President, at the outset I would like to welcome Under-Secretary-General Mr. Abe with us, and also to address a word of appreciation to Ambassador Heinsberg for his continuous and effective action at the CD. I wish him all the best.

(Mr. De Benedictis, Italy)

We are pleased to participate today in the discussion focused on PAROS, an issue to which various member States attribute priority in the Conference on Disarmament.

On a question of this magnitude Italy feels fully bound by the position, the strategy and the interests of the European Union. The Union is actively engaged in civilian space programmes and depends increasingly on outer space for its economic and industrial development as well as for its security.

A White Paper published in November 2003 by the European Commission draws a picture of the development of the European Union's activities in outer space and indicates space as a new frontier for an expanding Union.

Italy, like its European Union partners, voted in favour of last year's United Nations General Assembly resolution 59/65 on PAROS, and I believe that this is an issue which should be dealt with at the Conference on Disarmament.

Outer space is not a new issue: scholars have enumerated at least seven principal treaties covering space and six international forums addressing space issues. The 1967 Outer Space Treaty, as recalled by other delegations, already disciplines principles governing the activities of States in the exploration and use of outer space, but there is a need to consolidate and reinforce the regime established by that Treaty and enhance its effectiveness.

Italy recognizes the growing convergence of views on the elaboration of measures to strengthen transparency, confidence and security in the peaceful uses of outer space, as has been underlined before by other delegations. We believe that space security is closely linked to a discipline of ballistic missile launching. Unannounced launches of missiles, as we have seen in recent years, can provoke major concerns for international and regional security. That is why, while promoting the prevention of an arms race in outer space, we also strongly support the establishment of measures of transparency and confidence which could be conducive or complementary to negotiations. Universal accession to and the effective implementation of the Hague international Code of Conduct against ballistic missile proliferation would be a significant step in that direction.

We welcome some recent developments which have taken place at the CD since 7 August 2003, when the delegations of Russia and China accepted adjustments on PAROS which could facilitate the adoption of a programme of work by the CD. Let me recall the two seminars which were organized in March 2004 and on 21 and 22 March of the current year, when interesting suggestions were made, inter alia on a possible code of conduct in outer space. We also express our appreciation for the recent Russian-Chinese proposal contained in the non-paper dated 9 June 2005, which has already been mentioned, entitled "Definition issues regarding legal instruments on the prevention of the weaponization of outer space".

In conclusion, for the operational purposes of this Conference, we stand ready, like many other delegations, to support the establishment of an ad hoc committee on an arms race in outer space in conformity with paragraph 4 of document CD/1693/Rev.1. According to this document, the ad hoc committee shall identify and examine, without limitation, any specific topics or

(Mr. De Benedictis, Italy)

proposals, including confidence-building or transparency measures, general principles, treaty commitments and the elaboration of a regime capable of preventing an arms race in outer space, as well as the possibility of negotiating relevant international legal instruments.

The PRESIDENT: I thank the representative of Italy for his statement. The next speaker is the representative of New Zealand, Ambassador Caughley.

Mr. CAUGHLEY (New Zealand): Mr. President, I should like to associate my delegation with your warm welcome to Under-Secretary-General Abe, and also with your tribute to Ambassador Volker Heinsberg, and best wishes to him for the future.

My delegation cannot resist drawing an analogy between today's important topic and Antarctica. In 1959, the determination of States to protect the pristine and unique environment of Antarctica resulted in the Antarctic Treaty. The Antarctic Treaty ensured that the region would only be used for peaceful purposes, and, most importantly, placed a prohibition on any activity of a military nature. Outer space is an equally unique environment, the weaponization of which will surely serve mankind no better than the militarization of Antarctica.

New Zealand strongly supports the consideration of a treaty on the prevention of an arms race in outer space. We welcome the work that has been carried out in recent years by Canada, China and Russia to take this issue forward. As the third item on the CD's agenda, PAROS is patently a core issue of this Conference.

The legal framework for a treaty on PAROS is set out in the Outer Space Treaty. Our building upon that legal framework would help allay a number of major international concerns: concerns regarding the implications of increased funding and research of missile defence that incorporate weapon systems in outer space; concerns to institute prohibitions on strike weapons in space; concerns to protect crucial systems that have been deployed to prevent proliferation, such as satellite imagery for tracking activities that may uncover the development of weapons of mass destruction; and, most importantly of all, concerns to prevent an arms race that could only be costly and destructive to international security.

We look forward to increased engagement on PAROS. The consequences of an arms race in outer space for all mankind means that this is demonstrably an issue in which all nations have a stake. My delegation stands ready to get down to work on this core issue in the manner contemplated by the "food for thought" paper as part of an inclusive programme of work, or in any other way which affords the opportunity to prevent an arms race in outer space before we are faced with containing, rather than preventing such an arms race, to echo a point made earlier today by the Ambassador of Sri Lanka.

Mutual forbearance in the interests of global rather than national security, and international cooperation in the peaceful uses of outer space, as in the case of the Antarctic Treaty, must surely be our touchstone.

The PRESIDENT: I thank the representative of New Zealand for his statement. I now give the floor to the representative of Argentina, Mr. Valle Fonrouge.

Mr. VALLE FONROUGE (Argentina) (translated from Spanish): On behalf of the delegation of Argentina, we endorse the words of welcome to Under-Secretary Abe in this forum and we bid farewell to Ambassador Heinsberg, with appreciation for his work and wishes for success in his future endeavours.

First of all, I would like to highlight Argentina's commitment to the use of outer space for peaceful purposes. The National Commission for Space Activities, part of the Ministry of Foreign Affairs, International Trade and Worship, is implementing the "National Space Plan: Argentina in Space, 1997-2008", which has benefited from continuous and transparent civilian administration under successive governments, since it was set up in 1991, reflecting State policy for space affairs. This National Commission carries out international cooperative activities in the space field on a basis of equal partnership, and Argentina has signed cooperation agreements with other governments and space agencies.

Four years ago the United Nations General Assembly highlighted the leading role of the Conference on Disarmament in negotiating an agreement to prevent the arms race in outer space. We support the setting up of an ad hoc body to study general principles, confidence-building measures and the development of a regime capable of preventing the arms race in space. We consider that this work in the Conference on Disarmament can be carried out on the basis of the mandate set out in the five Ambassadors' proposal and the informal "food for thought" paper circulated by Ambassador Sanders of the Netherlands. Our country is in favour of delinking the themes of those proposals and feels that each theme should be dealt with in terms of its contribution to disarmament and its relevance to international peace and security as such, and not in connection with the other topics contained in the programme in question.

The PRESIDENT: I thank the representative of Argentina for his statement. I now give the floor to the representative of Mexico, Ambassador Macedo.

Mr. MACEDO (Mexico) (translated from Spanish): Like other delegations we welcome Under-Secretary Abe. The delegation of Mexico endorses the statement made by the representative of Ethiopia on behalf of the Group of 21.

Mexico considers that the exploration and use of outer space and the moon and other celestial bodies should be conducted exclusively for peaceful purposes, for the benefit of all countries, whatever their level of scientific or economic development, without diminishing the security of any State, in keeping with the letter and spirit of the 1967 Treaty on Principles governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies. Mexico has placed on record its convictions on this subject in the First and Fourth Committees of the United Nations General Assembly, as well as in the United Nations Committee on the Peaceful Uses of Outer Space and its two Subcommittees.

(Mr. Macedo, Mexico)

Mexico attaches great importance to efforts directed at preventing the militarization of space and promoting international cooperation for the peaceful use of outer space, in view of the considerable benefits which space technology has brought to the development of the international community. My country is particularly concerned that scientific and technological progress achieved in the exploration and use of outer space may make possible the unilateral deployment of national anti-missile defence systems or other military systems which might trigger an arms race, particularly if we bear in mind that, valuable though it is, the legal regime applicable to outer space is not currently sufficient to guarantee the non-militarization of space, and therefore requires strengthening.

Mexico believes that the viewpoints, means and initiatives to prevent an arms race in outer space have evolved considerably since the "Study on the application of confidence-building measures in outer space" was published 15 years ago, and now there is a need for new and more detailed international approaches and understandings on this issue. Mexico shares many of the concerns expressed by various States in connection with the dire consequences that the militarization of outer space would have for international peace and security, as well as the urgent need to devise measures to increase transparency, trust and security in the use of space, particularly when it comes to verification. Mexico urges the member States of the Conference on Disarmament to seek agreement on this issue based on a spirit of cooperation and in order to preserve outer space as the common heritage of mankind, free of the arms race. In this regard, while it considers that there is a need to begin the negotiation of an agreement on this issue in this forum, my delegation supports the mandate contained in the five Ambassadors' proposal as the most viable compromise formula for beginning our work.

Lastly, I would like to say that my country welcomes the statement made by the Russian Federation in the framework of the last General Assembly, which it referred to here today, that it would not be the first country to deploy weapons of any kind in outer space. We hope that other States with space capabilities will follow that example.

I cannot conclude this statement without conveying to Ambassador Heinsberg the best wishes of my delegation and my own for professional success in his new duties, which we are sure he will undertake with his usual talent and dedication.

The PRESIDENT: I thank the representative of Mexico for his statement. The next speaker on my list is the representative of the Republic of Korea, Ambassador Park.

Mr. PARK (Republic of Korea): First of all I would like to join in wishing all the best and every success to Ambassador Heinsberg in his further undertakings, and in welcoming Mr. Abe.

The Republic of Korea has repeatedly supported the United Nations General Assembly resolution on PAROS that emphasizes the need for the consolidation and reinforcement of measures to prevent an arms race in outer space and calls on countries with major space capabilities to refrain from acts contrary to maintaining a peaceful outer space.

(Mr. Park, Republic of Korea)

Based on this principle, we are ready to participate in discussions within the CD to consider whether the existing space treaties are sufficient and to explore what kind of further measures might be employed under some kind of practical and flexible formula, including the initiative of Ambassador Sanders of the Netherlands.

Given the complicated nature of the issue related to outer space, we believe that gradual and pragmatic approaches are desirable at this stage. In this sense, even before we agree upon our work programme, my delegation would like to pay attention to the idea of developing confidence-building measures in outer space or any viable interim measures to enhance the existing treaty regimes, with a view to strengthening the security of space activities, preventing the military use of space and promoting cooperation for civil and scientific purposes.

The PRESIDENT: I thank the representative of the Republic of Korea for his statement. I now give the floor to the representative of the Syrian Arab Republic, Mr. Ali.

Mr. ALI (Syrian Arab Republic) (translated from Arabic): Allow me to associate myself with the remarks of the previous speakers welcoming Ambassador Abe, the Under-Secretary-General for Disarmament Affairs. My delegation also associates itself with the statement delivered by His Excellency the Ambassador of Ethiopia on behalf of the Group of 21. I also wish to express my delegation's support for the statements made by their Excellencies the Ambassadors of China and the Russian Federation.

Syria was one of the countries that supported the Sino-Russian working paper contained in document CD/1679, dated 28 June 2002. The working paper sets out the fundamental elements of an international convention on the non-proliferation of weapons in outer space and the use or threat of use of force against objects in outer space. We welcome the non-paper that was presented by the delegations of China and the Russian Federation on 9 June 2005, concerning some relevant technical issues.

We believe that the conclusion of a new convention on the basis of the aforementioned initiative has become a matter of urgent necessity for all mankind. We therefore call once more for the establishment of a sub-committee to discuss this matter in accordance with the A-5 proposal, which remains the best basis for the adoption of a balanced and comprehensive programme of work for the Conference on Disarmament.

In conclusion, Mr. President, allow me to express my delegation's appreciation to His Excellency Ambassador Heinsberg for his efforts to rationalize our work at the CD. We will greatly miss Ambassador Heinsberg, but we are sure that German logic will serve us well in our future work. We wish Ambassador Heinsberg every success in his new endeavours on behalf of his great country, Germany.

The PRESIDENT: I thank the representative of the Syrian Arab Republic for his statement. The next speaker on my list is the representative of Malaysia, Mr. Wan Aznainizam Yusri.

Mr. WAN AZNAINIZAM YUSRI (Malaysia): At the outset, I would like, on behalf of the delegation of Malaysia to the CD, to join previous speakers in welcoming Under-Secretary-General Abe and in wishing Ambassador Heinsberg all the best in his future endeavours. Malaysia would like to take this opportunity to associate itself with the statement delivered earlier by Ethiopia on behalf of the Group of 21.

Since the first human mission to outer space in 1961 and to the moon in 1965, a number of developments have taken place in the field of space technology, including those for defence and military purposes. In view of the current development of intensifying research and tests on space-based weapons and weapon systems by those with the most advanced space capabilities, there is a pressing need for the Conference to address the issue of an arms race in outer space.

The fifty-ninth session of the United Nations General Assembly in 2004 adopted resolution 59/65 on the "Prevention of an arms race in outer space" by an overwhelming majority, inviting the CD again to re-establish the ad hoc committee on PAROS, and recognizing the Conference's primary role in the negotiation of the prevention of an arms race in outer space. A total of 178 countries voted for the resolution and not a single country voted against. This demonstrates the common aspiration and urgent demand of the international community to prevent an arms race in outer space.

Malaysia is of the view that while existing international legal instruments on outer space, such as the Treaty on Principles governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, prohibit the deployment of weapons of mass destruction in outer space, none of them completely ban the testing, deployment and use of other weapons or weapon systems. Under present-day conditions, existing measures and instruments are inadequate to prevent an arms race in outer space. We firmly believe that only a legal instrument prohibiting the deployment of weapons in outer space and the prevention of the threat or use of force against outer space objects can eliminate the emerging threat of the weaponization of outer space.

In line with paragraph 77 of the final document of the thirteenth NAM summit, Malaysia would like to reiterate its support for the re-establishment of an ad hoc committee on PAROS. The Conference has examined a number of important issues pertaining to the prevention of an arms race in outer space through this ad hoc committee, established by the Conference from 1985 to 1994. Since 1994, however, the CD has not been able to re-establish this ad hoc committee, owing to the lack of agreement on its programme of work.

Concerning the proposed instruments on PAROS, Malaysia is of the view that in addition to the elements proposed in document CD/1679, dated 27 June 2002, the elements of cooperation and assistance for peaceful uses should be among its salient features as well. It is also suggested that, as a further confidence-building measure, there should be a moratorium on the testing of all kinds of weapons and on the deployment of weapons in outer space.

(Mr. Wan Aznainizam Yusri, Malaysia)

In conclusion, Malaysia would like to reiterate that an arms race in outer space should be prevented through a legally binding instrument. It must be recognized that outer space is the common heritage of mankind and should be explored and utilized only for peaceful purposes. If left unchecked, the intensification of military activities in outer space could trigger an arms race that would be detrimental to the cause of peace and the future of mankind.

The PRESIDENT: I thank the representative of Malaysia for his statement. I now give the floor to the representative of Cuba, Mr. González.

Mr. GONZÁLEZ (Cuba) (translated from Spanish): My delegation joins previous speakers in welcoming Under-Secretary-General Ambassador Abe and also in taking this opportunity to bid farewell to Ambassador Heinsberg of Germany.

First of all, I wish to say that my delegation fully endorses the statement made by the distinguished representative of Ethiopia on behalf of the Group of 21, the core of which reaffirms the position of the G-21 countries in favour of the establishment of an ad hoc committee to negotiate specific and concrete measures to prevent the arms race in outer space. That position is part and parcel of the proposal on the programme of work which the Group of 21 submitted to this Conference in 1999 in document CD/1570, which is still on the table, as His Excellency the Ambassador of Ethiopia stressed. Once again it has been demonstrated that it is not the members of the Group of 21 who are opposed to initiating substantive negotiations in the framework of the Conference on Disarmament on the priority issues which the international community has identified as such in various United Nations General Assembly resolutions. For Cuba it is extremely important to make sure that the problem which we today face on earth owing to the existence of weapons of mass destruction and other types of weapon is not transferred to outer space, because that would represent a negative increase in its scale and range.

Cuba has always been opposed to the arms race in outer space or anywhere else. We maintain our position that the exploration and use of outer space should be for peaceful purposes, and that its benefits should accrue to all countries through international cooperation. Outer space is the heritage of all mankind. A limited number of international agreements address the issue before us, the most outstanding being the Treaty on Principles governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies. This treaty, among other things, sets out prohibitions on the deployment of nuclear weapons and any type of weapon of mass extermination in outer space, but it does not do so for other kinds of weapons. There is no legally binding multilateral agreement which bans the deployment of weapons other than weapons of mass extermination in outer space. Some claim that it is not necessary to draw up such an international instrument because there is no arms race in outer space. However, we are witnessing with concern a process of militarization of outer space, which is creating conditions that would enable weapons to be deployed in outer space. We are also concerned at the negative consequences of the development and deployment of defence systems based on anti-ballistic missiles and the search for advanced military technologies that could be deployed in outer space which have helped to contribute to greater erosion of an

(Mr. González, Cuba)

international climate conducive to the promotion of disarmament and the strengthening of international security. The abrogation of the Treaty on the Elimination of Anti-Ballistic-Missile Systems creates new difficulties for strategic stability and the prevention of an arms race in outer space. The implementation of a national anti-missile defence system could trigger an arms race and lead to the development of more advanced missile systems and an increase in nuclear weapons.

Cuba supports the adoption of a balanced programme of work which would take into account the priorities and interests of all member States of the Conference on Disarmament, including the setting up of an ad hoc committee for nuclear disarmament, which is the first priority for our country. We have heard with concern during these days of debate statements claiming that the agenda of the Conference on Disarmament is obsolete as it is a product of the so-called cold-war era, while at the same time the adoption of measures for non-proliferation of weapons of mass extermination is singled out and highlighted to the detriment of disarmament measures. There is a forceful logic which emphasizes that if something does not exist, it cannot possibly proliferate. The only way to avoid the proliferation of nuclear weapons and other weapons of mass extermination is through their complete elimination. The nuclear-weapon States bear greater responsibility where nuclear disarmament is concerned because it is they who possess nuclear weapons. In fact, as long as nuclear weapons exist, those States are potential proliferators. If the Conference on Disarmament keeps on its agenda issues which date back to the now extinct East-West confrontation, this is because the problems persist and, still worse, have become even more acute since the stand-off between the two blocks disappeared.

Not all the nuclear-weapon States support the setting up of an ad hoc committee to undertake negotiations on nuclear disarmament. Nor do all wish to negotiate specific and concrete measures to prevent an arms race in outer space. Coincidentally, one of those nuclear States in another context prevented negotiations from continuing on additional verification measures to strengthen the Biological Weapons Convention, marking a serious step backwards for that international legal regime. On the other hand, new approaches have been developed in which a broader role is assigned to nuclear weapons as part of security strategies which are fostering the development of new kinds of nuclear weapons and the arguments in favour of their use. All these examples, and others that I have not wished to mention in order not to make this intervention a long one, demonstrate the relevance of the items on the agenda of this Conference and the urgent need to adopt a programme of work which will substantively address them.

The PRESIDENT: I thank the representative of Cuba for his statement. This concludes my list of speakers for today. Does any delegation wish to take the floor at this stage? That does not seem to be the case.

This concludes our business for today. The next plenary meeting will be held on Thursday, 7 July, at 10 a.m. in this conference room.

The meeting rose at 12.25 p.m.