

Conference on Disarmament

English

Final record of the one thousand five hundred and seventy-eighth plenary meeting

Held via videoconference on Thursday, 3 June 2021 at 10 a.m. Central European Summer Time

President: Mr. Salomon Eheth(Cameroon)

The President: Distinguished delegates, I call to order the 1578th plenary meeting of the Conference on Disarmament.

I will now turn to the speakers remaining on my list from Tuesday. The first speaker on my list is Ambassador Tine Mørch Smith of Norway, whom I have the honour to introduce. Ambassador, you have the floor.

Ms. Smith (Norway): Thank you, Mr. President, and let me first of all congratulate you on assuming the presidency of the Conference on Disarmament and for your service to this Conference. I would also like to thank you for providing us with the opportunity to have a substantive exchange on this central topic – in the unfortunate absence of a programme of work. Let me also thank the panel for the excellent presentations.

Preventing an arms race in space is a matter of global importance. It is a matter of increasing urgency. And it is a matter in need of multilateral solutions. As set out in the Outer Space Treaty, exploration and use of outer space for peaceful purposes is in the interest of all mankind. It is an issue in which all States have a stake.

Norway therefore welcomes General Assembly resolution 75/36. It complements other initiatives for the prevention of an arms race in outer space and offers a way forward for a discussion that has become entrenched by differing opinions on form. We need to move forward on substance.

The initiative for a reduction of space threats through norms, rules and principles of responsible behaviours gives us a space in which to discuss that substance without predetermining a formal outcome. It might contribute to the development of legally binding instruments in this area – or it might lead to other normative frameworks. What is important is that we get to start discussing the kinds of behaviour that we want, and do not want, with regard to outer space, with the aim of avoiding an arms race in outer space and ultimately maintaining international peace and security.

Norway has provided a national submission pursuant to resolution 75/36 and looks forward to studying the substantive report of the Secretary-General containing the views of other States. It is clear from those submissions already available that the issue of responsible space behaviour has generated significant interest.

Further discussion must take into account both the complexity and the frequent dual-use nature of space systems. One key aspect of the discussion must be on how to promote transparency and other risk-reducing practices in order to further cooperation and avoid unintended escalation due to misunderstandings or miscalculations. Mechanisms of notification to avoid misperceptions, for instance in close-proximity operations, could be one fruitful topic for discussion. Norms against weapons tests or other operations that will foreseeably create long-lived orbital debris could be another.

In 2019, the Norwegian Government published a national white paper on space policy. It sets forth Norway's space policy, including our overarching approach to space security. While the policy recognizes the interest of States in protecting their own space infrastructure and that of their allies, it equally recognizes that measures to combat security threats must be developed in cooperation with other States and international organizations.

Like many other States, Norway is highly reliant on space-based systems for communications, for positioning, navigation and timing, as well as for situational awareness. In particular, activities outside the Norwegian mainland present challenges where space systems enable efficient and safe operations, support operational security and bolster the exercise of jurisdiction in large areas. Search and rescue operations in the Arctic may serve as a prime example. As a result, Norway attaches great importance to ensuring the reliability of space-based services and the reduction of risks that may threaten their operations. To help further this objective, Norway will support initiatives to bring this discussion on responsible behaviour forward within the United Nations.

The President: I thank Ambassador Smith for her statement. The next speaker on my list is the representative of Malaysia, Ms. Azureen Pista.

Ms. Pista (Malaysia): Mr. President, as this is the first time my delegation is taking the floor under your presidency, allow me to congratulate you on your assumption of this

important responsibility. Malaysia deeply appreciates the consultations that you and the previous Presidents have undertaken thus far in working to advance the work of this Conference. Let me assure you of Malaysia's continued full cooperation and support in your endeavours to move the Conference forward. Malaysia extends our warm welcome to the Ambassador of Sweden to this Conference and looks forward to working with her. We thank all speakers who participated in last Tuesday's discussion for their informative presentations.

Malaysia aligns itself with the statement delivered by Kenya on behalf of the Group of 21 and joins others in reiterating that outer space and other celestial bodies are the common heritage of humankind and must be used, explored and utilized for peaceful purposes only, for the benefit and in the interest of all States. Malaysia underscores that all States bear responsibility for refraining from activities that could jeopardize the common goal of preserving a peaceful, safe, stable and sustainable space environment. In addressing the growing risks and challenges in outer space, we believe that there is a need for greater transparency, more dialogue and better exchange of information among all actors. We recognize the value of transparency and confidence-building measures, including a non-legally binding code of conduct, in promoting trust among States. However, we also believe that, while these voluntary measures constitute a pragmatic way forward, they cannot be a substitute for a legally binding treaty on the prevention of an arms race in outer space.

Malaysia approved its national space policy, known as National Space Policy 2030, in 2017. The Policy consists of five pillars: first, reinforcing governance in optimizing Malaysia's access to space capability; second, focusing on space technology, infrastructure and applications significant to Malaysia; third, driving the development of space science and technology as well as building expertise; fourth, contributing to the economy and well-being of Malaysia; and fifth, improving and strengthening international cooperation and networks. In 2019, Malaysia established the Malaysian Space Agency, which is composed of the National Space Agency and the Malaysian Remote Sensing Agency.

The main mission of the Malaysian Space Agency is to develop national capabilities in the space sector to contribute to economic growth, knowledge and sustainable development, national sovereignty and the well-being of the people. In line with the National Space Policy 2030 and our commitment to strengthen international cooperation and networks in the space sector, Malaysia is working towards enacting national space legislation to regulate space-related activities in Malaysia. The bill will help Malaysia to meet international obligations and allow it to ratify or accede to space-related international instruments, such as 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, and the 1968 Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space.

Malaysia has always been supportive of efforts to prevent an arms race in outer space. Last year, Malaysia voted in favour of all First Committee General Assembly resolutions on the prevention of an arms race in outer space, including the relevant resolution initiated by Egypt and Sri Lanka and the resolution of the United Kingdom on reducing space threats through norms, rules and principles of responsible behaviours. Malaysia believes in the need to foster more dialogue and exchanges of views and information among all member States in order to find common ground to address issues related to the prevention of an arms race in outer space. We appreciate the opportunity to share our views through this thematic discussion and remain committed to continue working with all stakeholders in this endeavour.

The President: Thank you for your statement. The next speaker on my list is the representative of Indonesia, Ms. Risha Jilian Chaniago.

Ms. Chaniago (Indonesia): Let me begin by congratulating you, Mr. President, and Cameroon for assuming the presidency of the Conference on Disarmament. Please rest assured of Indonesia's full support for and cooperation with your presidency and the work of the Conference. Let me also welcome the new Ambassador of Sweden and express appreciation to the four panellists for their presentations.

Mr. President, Indonesia aligns itself with the statement by the Group of 21 on the prevention of an arms race in outer space delivered by the Kenyan delegation in its national capacity. Indonesia would like to share some additional views on this item, item 3 on the

agenda of the Conference. Indonesia shares concerns regarding the increasing threats to peace and security in outer space. We continue to be concerned over the negative implications of the development and deployment of anti-ballistic missile defence systems and the threat of weaponization of outer space. This development has further eroded a climate once more conducive to the strengthening of international security.

We are also concerned at the negative security consequences of the deployment of strategic missile defence systems, which can trigger an arms race and lead to the development of advanced missile systems and increase the number of nuclear weapons. In this regard, we would like to reiterate that outer space and other celestial bodies are the common heritage of mankind. Outer space must be used and explored only for the benefit and in the interest of all nations for peaceful purposes and in accordance with relevant international laws and instruments. We recognize that the existing instruments against militarization and weaponization of outer space are inadequate in this respect. We would therefore like to call on the Conference on Disarmament to begin negotiation of an international legally binding instrument on the prevention of an arms race in outer space without delay. We continue to believe that there is no replacement for a universal legally binding instrument.

We recognize the various initiatives discussed by the panellists, such as the draft Treaty on Prevention of the Placement of Weapons in Outer Space presented by Russia and China in the Conference in 2008 and updated in 2014, the substantive progress made through the discussions of the Group of Governmental Experts, as reflected in the final draft, and the relevant General Assembly resolutions, including General Assembly resolution 75/36, on reducing space threats through norms, rules and principles of responsible behaviours. All these initiatives, we believe, could serve as building blocks for the commencement of negotiations towards the adoption of an international legally binding instrument on the prevention of an arms race in outer space. As a complementary measure, we also recognize the importance of greater transparency and confidence-building measures and better information.

The President: I thank the representative of Indonesia for her statement. The next speaker on my list is Ambassador Khalil Hashmi of Pakistan.

Mr. Hashmi (Pakistan): Thank you very much, Mr. President, for convening this important thematic discussion. On behalf of the Pakistan delegation, I congratulate you on assuming the presidency of the Conference on Disarmament and assure you of our full cooperation. We appreciate your early circulation of the schedule of thematic discussions. We also thank the panellists for their contributions and align ourselves with the statement made by Kenya on behalf of the Group of 21.

Mr. President, the salience and urgency of today's thematic debate on prevention of an arms race in and weaponization of outer space requires not only a stock-taking exercise but also the contextualization of the topic in the contemporary geostrategic environment. There is ample evidence that risks from the steady development and deployment of increasingly sophisticated military technologies, weapons and platforms in outer space are too important to be ignored any longer by this body. Proliferation in all its forms is at full display in and around outer space. The growing integration of weapons technologies and platforms with nuclear, cyber- and conventional domains further accentuates the long-standing dangers of strategic miscalculation, accidental clashes and potential armed conflicts in and from outer space. Whether in the form of direct introduction of weapons in outer space, through outer space commands or through creation of integrated commands of space forces, the markers of a full-blown arms race in outer space are clear.

The mutually reinforcing nature of defensive and offensive capabilities, such as the deployment and amalgamation of missile defence systems with outer space systems, including space-based missile interceptors, represents yet another layer of strategic instability at the global and regional levels. In the absence of legal constraints, these systems allow pre-emptive and disarmament strikes against terrestrial systems, entailing dangerous consequences for a safe, secure and sustainable world in outer space.

Let me briefly recount how the Conference has treated this topic previously and how it has been and continues to be prevented from negotiating a legally binding instrument to prevent an arms race in outer space. More than four decades ago, the Final Document of the

first special session of the General Assembly devoted to disarmament noted that in order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Outer Space Treaty of 1967.

It was in recognition of the clear gaps in international law in the area that this long-standing agenda item was established. Placement of weapons other than weapons of mass destruction, weapons that would be used to engage targets on Earth or in outer space and the use of force against outer space objects from Earth were to be among the key considerations.

As was also pointed out by the panellists, for a continuous period of one decade, from 1985 to 1994, an ad hoc committee on the prevention of an arms race in space worked at the Conference to, inter alia, look at (a) issues relevant to the prevention of an arms race in outer space (b) existing agreements relevant to that issue and (c) relevant proposals and future initiatives. Four decades of discussion in this chamber have seen the proposals diluted from non-militarization to non-weaponization as a bare minimum.

The growing number of actors also underscores the clear and present dangers in and from outer space to Earth. Worryingly, the line between peaceful and military uses of outer space is being blurred as non-governmental actors themselves are no longer confined to peaceful exploration. The growing fusion between civilian intelligence and military institutions and endeavours is no longer a well-kept secret. Some States openly speak about extending deterrence to outer space. Destabilizing capabilities such as anti-satellite weapons and directed-energy weapons are being complemented by placement of weapons in outer space to target Earth.

These developments undermine the spirit and principles of existing international law governing outer space. Left unaddressed, these growing risks pose serious threats to global as well as regional peace, security and stability. If history is any guide, technological or military monopolies of the few do not last for too long. It is therefore both urgent and prudent to prevent the weaponization of outer space and its devastating peace, security and socioeconomic consequences for States and societies. Further delay will be counterproductive. Let us avoid the mistakes made in the case of chemical weapons, which were produced for decades before the Chemical Weapons Convention was concluded. Dismissing the imperative and urgency of legal instruments to prevent further weaponization in outer space should not obscure the past realities of the nuclear arms race and growth in these arsenals.

The decades of opposition and attempts to deflect attention from the salience of this topic in the face of growing evidence of the militarization and weaponization of outer space and the integration of space-based military capabilities with other domains are inexplicable. The mere conduct of a thematic discussion today on the prevention of an arms race is another reminder not just of the lack of political will to negotiate but also of the abundance of obfuscation by a handful of States. There can be no other explanation for such opposition than that these States seek to protect their monopolies and maintain their full spectrum of dominance.

On the other hand, there has been a growing lament expressed over the Conference's deadlock. Some States have found it convenient to attribute this stalemate to only one of the four core issues on the Conference's agenda. Facts speak for themselves, and one inconvenient fact is that the Conference, despite overwhelming support for negotiating a legal instrument on the prevention of an arms race in outer space, has been prevented from doing so by a small number of States.

In the face of the urgent risks to global as well as regional peace and security that I have outlined above, and given the gaps in the international legal regime governing the use of outer space, this body must take up this overripe topic and begin negotiations on a legally binding instrument on the prevention of an arms race in outer space without further delay. These dangers can no longer be dismissed, and the legal gaps can be plugged only by concluding a treaty at the Conference that prohibits the placement of weapons in outer space and outlaws the threat or use of force against outer space objects.

Countries blocking negotiations at the Conference on this issue owe this body an explanation for their persistent opposition. These States should also acknowledge their responsibility for perpetuating the Conference's deadlock.

As the panel pointed out, and as some countries in this chamber have said about a fissile material cut-off treaty, the definitions, scope and verification of a treaty to prevent the militarization or weaponization of outer space can be discussed during the course of negotiations. We invite these States to walk the talk and demonstrate their readiness to act responsibly in outer space by lifting their long-standing opposition to the start of negotiations on the draft Treaty on Prevention of the Placement of Weapons in Outer Space at the Conference.

The United Nations system as a whole has a central role in addressing the issues related to security, safety and sustainability of outer space. This has been clearly delineated in the mandates of the various bodies responsible for these distinct aspects. Even as we welcome the exchange of information and transparency and confidence-building measures, conflating the distinct mandates of various outer space-related platforms only advances the cause of distraction and abdication of responsibility for responsible behaviour. We recognize the usefulness and value of transparency and confidence-building measures and codes of conduct. They are, however, at best complementary. They are voluntary. Continued insistence on these measures, on these measures alone, detracts attention from the urgent imperative of the vital issues of preventing an arms race in outer space and prohibiting placement of weapons in outer space. The usefulness and relevance of these complementary measures can be leveraged in the preparatory process of negotiating legal instruments to prevent an arms race in and weaponization of outer space. Without prejudice to the urgency of commencement of negotiation in the Conference in this vital area, we endorse calls for establishment of a technical group of experts to examine issues surrounding definitions, scope and verification in support of legal instruments to prevent weaponization of outer space.

Last year, Pakistan voted in favour of General Assembly resolution 75/36, which seeks to advance norms, rules and principles of responsible behaviours in outer space. We welcome exchanges of views and information in this respect. However, we note the principal focus of this initiative is on the safety dimensions of outer space rather than on the security aspects, of which legal prohibitions on placement of weapons is a central element.

Such initiatives, as is the case with transparency and confidence-building measures and codes of conduct, are at best, as I said earlier, voluntary and complementary. They do not substitute for progress in or the absence of legal prohibitions on weaponization and an arms race in outer space. We do not agree with the contention that space technologies for military and peaceful uses cannot be effectively verified. Systems like anti-satellite weapons have no ambiguity as to their potential use. There is therefore an urgent need to bring such systems under international legally binding restrictions and provisions.

It is our collective responsibility to ensure that the use of outer space, a common heritage of mankind, remains exclusively peaceful and for the benefit and in the interest of all. To continue approaching the issue as a means to perpetuate strategic advantages of the few would turn it into an area of open conflict with cascading and devastating impacts on people and the environment on Earth. It is only a matter of when, not if.

Notwithstanding the usefulness of interim steps such as codes of conduct, transparency and confidence-building measures and discussions on responsible behaviour, the only way to secure a weapon-free outer space is a legally binding treaty that prohibits the placement of weapons in it. The draft Treaty on Prevention of the Placement of Weapons in Outer Space, tabled jointly by China and Russia, provides a concrete basis for the commencement of negotiations. We call on States blocking the commencement of negotiations on the draft Treaty to revisit their approach and position. Such a step would arguably constitute the most transformative confidence-building measure, as well as a game-changing responsible behaviour.

The President: I thank Ambassador Hashmi for his statement. The next speaker on my list is the representative of the Islamic Republic of Iran, Mr. Nabi Azadi.

Mr. Azadi (Islamic Republic of Iran): Mr. President, as this is the first time we have taken the floor under your presidency, my delegation would like to congratulate Cameroon and you, Mr. President, on your assumption of the presidency of the Conference on Disarmament. Rest assured of my delegation's full support and cooperation. I would also like to thank you for holding thematic debates fully in accordance with the Conference agenda and rules of procedure. My delegation associates itself with the Group of 21 statement on the prevention of an arms race in outer space delivered by Kenya in the previous plenary meeting. I also appreciate the panellists' presentations and contributions to our debate.

Mr. President, the role of outer space in the security development and well-being of mankind is vital. The position of Iran on outer space has been consistent and clear: we believe that outer space is the common heritage of all mankind and must be explored and utilized for peaceful purposes and for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development. Furthermore, we strongly support the freedom of scientific investigation in outer space and facilitation and encouragement of international cooperation in such investigation, as well as the legitimate right of all the States to have access to outer space without any discrimination. On the basis of equality and in accordance with international law, every effort should be made in order to secure the use of outer space solely for the purposes of the well-being and prosperity of all nations around the world. It is therefore the common objective of the international community, as envisaged in paragraph 80 of the Final Document of the first special session of the General Assembly devoted to disarmament, to launch appropriate international negotiations in order to prevent an arms race in the outer space, which we believe is in the interest of all States.

There are three grave threats to outer space: weaponization, an arms race and discriminatory approaches. Some countries have adopted controversial space policies and others have proclaimed space a new war-fighting domain and conducted activities which have given momentum to those threats in infringement of existing international law.

The goal of space security should be to secure and sustain freedom in space for all. Seeking space hegemony is an ill-conceived, self-defeating route. It took a cold war arms race of several decades for the nuclear Powers to realize that a nuclear war cannot be won and should never be fought. We should not replicate the past with regard to space.

Reducing space threats through norms, rules and principles of responsible behaviours might be an attractive political gesture, but it is a vague and unclear phrase that leads to a political blame game. This process will become mired in political debate and legal consensus will not be achieved. It is a detour along the path to preventing an arms race in outer space, and it does not correspond to the basic adopted principles for the following reasons.

Firstly, no one is contesting responsible behaviour in its literal sense. However, the way this *prima facie* noble concept has been framed does not serve the common interest and good of a majority of States. It implies that only some of the few spacefaring Powers have behaved responsibly and that no newcomer could possibly be assumed to act responsibly. In other words, it has created two caste systems in outer space geopolitics and blocks the way for newer spacefaring States.

Secondly, most of the ongoing harmful developments in outer space are the result of trial and error by the space Powers. Previous irresponsible behaviours made outer space a congested area full of debris. Therefore, the best and most comprehensive interpretation of irresponsible behaviour is for it to be understood to cover past events; no irresponsible behaviour in outer space should be neglected when it is threatening the outer space heritage. It will lead to a discriminatory process.

Thirdly, the concept of responsible behaviour might create new norms and subsequently constitute impediments for new emerging space Powers. The fragility of technology transfers, as well as the creation of impediments to new emerging space Powers by developed countries, undermines the real principle of equality of outer space.

Fourthly, developing countries lack the necessary capabilities to have any verification regime technology for monitoring or verifying responsible behaviour standards. Therefore, the developed countries' activities will not be monitored. The flip side is that developing

countries will not accept any discriminatory regulations that restrict or hamper their pursuits in outer space.

Due to legitimate concerns and the lack of an applicable and adequate legally binding instrument to deter the militarization of outer space or prevent its weaponization, the Islamic Republic of Iran is not only deeply concerned over the increasing threat of weaponization of outer space but also reaffirms the importance and urgency of preventing an arms race in outer space and has consistently supported the start of negotiations on a comprehensive legally binding instruments on this issue. In this regard, all the States with major space capabilities have a special responsibility to contribute actively to the objective of the peaceful uses of outer space and of the prevention of an arms race in outer space.

Any initiative on the prevention of an arms race in outer space should be multilateral, transparent, open, non-discriminatory and comprehensive. Transparency and confidence-building measures can enhance mutual trust and prevent miscalculation, but they cannot be a substitute for a legally binding treaty, since their nature and limitations mean that they cannot deal with the challenges at hand.

That is why Iran believes the Conference on Disarmament is the right place to start negotiations on the prevention of an arms race in outer space. The draft Treaty on Prevention of the Placement of Weapons in Outer Space is a useful, positive and concrete basis for negotiation in this regard.

Iran is fully ready to engage in the possible ways to secure the use of outer space solely for peaceful purposes. We support the start of negotiations at the Conference on the conclusion of a legally binding instrument in this regard. Many countries, including my own, rely on space and a weapon-free space environment, which is a prerequisite for their development.

The President: I thank the representative of the Islamic Republic of Iran for his statement. The next speaker is the representative of the Swiss Confederation, Ambassador Baumann.

Mr. Baumann (Switzerland) (*spoke in French*): Mr. President, while outer space is increasingly crucial to humanity's prosperity, in recent years it has also undergone significant change. The dependence of all States on a variety of space systems is growing, while the stability and sustainability of space are increasingly challenged. In other words, States are becoming increasingly vulnerable to disruptions to their space capabilities. The stability and sustainability of outer space is being challenged by the sharp increase in space activity, leading in particular to congestion and competition in space.

Another challenge that is more directly relevant to our Conference is the development of military capabilities in response to the possible spread of armed conflict to space or resulting from the disruption of space activities. Recent developments in this area are of great concern. The increasing development of anti-satellite capabilities, including kinetic, non-kinetic, electronic, directed energy, laser and cybernetic capabilities and, in particular, the development and testing of direct-ascent anti-satellite capabilities, is of particular concern, especially because the creation of space debris poses significant risks to the safety of all space activities, including activities for peaceful purposes. Additionally, some military doctrines now consider outer space as a setting for military confrontation. These developments increase security threats and risks for both military and civilian space systems. Some of these risks could jeopardize space stability and have a negative impact on the sustainable utilization of outer space for peaceful purposes.

To face these challenges, efforts should be made to strengthen the effective implementation of existing international law, norms and standards and to further clarify their content. All space activities, including military activities, must respect existing international law, including the Outer Space Treaty, the Charter of the United Nations and, in the context of armed conflict, international humanitarian law. However, that will not be enough, and new normative developments will be required. We have seen that it is possible to make progress in facing the challenges linked to the peaceful use of outer space, and additional work is under way. Renewed efforts to rapidly advance the normative framework in response to the security threats to outer space are now crucial.

Mr. President, the need to forge ahead to address the threats to the security of outer space is not, in itself, new; the prevention of an arms race in outer space was already on the Conference's agenda in 1985, but progress remains far from sufficient. In this context, we can only welcome new proposals that could help end the current impasse on the matter. In particular, we welcome General Assembly resolution 75/36 on responsible behaviours in outer space of last year. We believe that this initiative supplements other approaches with a view to moving towards our common goal of ensuring the security, stability and sustainability of space. Given the difficulty of verifying outer space activities, not to mention the intent behind some actions, an approach based on behaviours and their impact seems to be a promising avenue.

That is why Switzerland co-sponsored this resolution. It is now important to establish a common understanding of what constitutes responsible and irresponsible space security behaviours. In this context, Switzerland submitted a national contribution to the report of the Secretary-General of the United Nations under this resolution. One of the key points of our contribution is the importance of refraining from actions that are highly likely to cause misunderstanding. These include non-consensual approaches, and rendezvous and proximity operations without coordination or consent. Given that the intention behind such activities cannot be determined with certainty, they may be interpreted as hostile acts and thus be destabilizing and have a negative impact on international security.

With that in mind, we also wish to highlight the role of transparency and confidence-building measures that may reduce the risk of space activities being misconstrued as threatening and also the risk of escalation. These measures include the sharing of information and notifications prior to the launch of missiles and space vehicles and rendezvous and proximity operations, and the registration of space objects, both on a national register and with the United Nations. In that regard, communication channels between space actors that allow them to communicate and provide notification of any incidents, as well as the development of a collaborative and open space situational awareness system, are potentially very useful confidence-building and preventive measures.

Another key point in our submission is the urgent need to prevent any creation of space debris, given the lasting risk that it poses to both military and civilian space activities. Of particular concern in this regard are the development and testing of debris-generating anti-satellite capabilities.

We believe that reducing the threat posed by direct-ascent anti-satellite capabilities and their effects should be an initial priority for joint action. More generally, we believe that the deployment of space weapons, whether stationed on Earth or in space, would be destabilizing and would undermine space security.

In conclusion, we believe that General Assembly resolution 75/36 is a promising path towards improving space security. Clarification continues to be required on many issues, and we believe that it would be particularly useful to continue the relevant discussions in a body mandated by the United Nations. Ideally, that body should be inclusive, because the question of space security and sustainability concerns all Member States of the United Nations. The body's discussions should aim to reach a common understanding of what constitutes responsible and irresponsible behaviours and concrete outcomes that are adopted and implemented by all Member States.

The President: I thank Ambassador Baumann for his statement. The next speaker on my list is the representative of the Syrian Arab Republic, Mr. Osama Ali.

Mr. Ali (Syrian Arab Republic) (*spoke in Arabic*): Mr. President, I would like to first congratulate you on your assumption of the presidency of the Conference on Disarmament and thank you for holding this thematic debate under agenda item 3 on the prevention of an arms race in outer space. I align myself with the statement made by the distinguished representative of Kenya on behalf of the Group of 21. I would like to add the following points as a contribution from the Syrian Arab Republic to the discussion on this item.

My country, along with the majority of member States, seeks to achieve the peaceful use of outer space and to prevent an arms race in outer space, as it is a common heritage of all humanity and must be used and explored for the benefit and in the interests of humanity,

in the spirit of cooperation and for peaceful purposes only. My country stresses the importance of strict compliance with the current legal regime relating to the use of outer space and expresses its concern about the growing threat of the weaponization of outer space and efforts by some western States that are pioneering outer space technologies to develop defence systems and military technologies that can be deployed in outer space. In doing so, they exploit the legal gaps in the current legal regime on the use of outer space and prevent the negotiation of a legally binding instrument on the prevention of an arms race in outer space; and they stress that the solution lies in the initiative on responsible conduct in outer space, although it is not legally binding.

The only explanation for this double standard is that these States wish to maintain their dominance over outer space and be the only ones to exploit its benefits, without taking into account the interests of other States. In this context, my delegation recalls that the United States of America was the only State that failed to adopt the report of the Group of Governmental Experts on the Prevention of an Arms Race in Outer Space, established pursuant to General Assembly resolution 74/34 on further practical measures for the prevention of an arms race in outer space, although the report included important discussions on elements of a legally binding international instrument on arms control in outer space, to which all member States contributed.

Mr. President, without underestimating the value of transparency and confidence-building measures, including the non-legally binding Code of Conduct, my country considers that these voluntary measures cannot be a substitute for a legally binding treaty on the prevention of an arms race in outer space. My country therefore reaffirms the importance of the updated text of the draft Treaty on the Prevention of the Placement of Weapons in Outer Space and of the Threat or Use of Force against Outer Space Objects submitted to the Conference on Disarmament in June 2014 by the Russian Federation and China, which my country considers a constructive contribution to the work of the Conference and a good basis for discussions on the adoption of a binding international instrument on preventing an arms race in outer space, reflecting a genuine effort by Russia and China to achieve the goal of preventing such an arms race. Unfortunately, the United States rejected the draft and responded with scepticism rather than engaging in the negotiations on the text in good faith.

In conclusion, Mr. President, my country believes that the Conference on Disarmament should begin negotiations on issues relating to the prevention of an arms race in outer space without delay, given that it is the only multilateral forum for negotiating disarmament in the international community and plays the primary role in substantive negotiations on priority disarmament issues.

The President: I thank the representative of the Syrian Arab Republic for his statement. The next speaker on my list is the representative of South Africa, Mr. Angus September.

Mr. September (South Africa): Mr. President, South Africa would like to associate itself with the statement presented by the Group of 21 and would like to thank the panellists for their thought-provoking presentations.

Please allow me to once again urge the Conference on Disarmament to focus on its mandate, which is to deliver on negotiating legally binding instruments. It is in this context that South Africa welcomes the draft Treaty on Prevention of the Placement of Weapons in Outer Space, the Threat or Use of Force against Outer Space Objects presented by China and Russia in the Conference on Disarmament. This proposal could serve as a useful basis for further discussions in terms of the elements and scope of future legally binding instruments that may be required to prevent an arms race in outer space.

It is widely acknowledged that outer space is of ever-increasing importance in our daily lives and its exploration for peaceful purposes plays a vital role and is gaining more prominence. It is therefore important to ensure that substantive work is undertaken to prevent it from becoming a new area of conflict; space is, after all, the common heritage of humankind.

South Africa believes that the best way to promote order, safety, security and the sustainability of outer space activities, and to preserve outer space as a domain for peaceful

activities, is through international cooperation and dialogue; we will therefore continue to support and engage international efforts to develop rules of the road and norms for behaviour in space. In order to achieve the widest possible adherence to such rules and norms, there is no alternative to open and transparent multilateral processes in which all interested States can participate on an equal basis. Key to such efforts is the extent to which all States are able to gain access to and benefit from outer space regardless of their level of scientific, technical and economic development.

An integral component of our efforts to sustain outer space as an area for exclusively peaceful purposes is the need to adopt preventative measures to ensure that space does not become the next arena for conflict and, consequently, that an arms race in outer space does not become a reality. Some arguments have been advanced to the effect that an arms race in outer space does not exist at present. Some proponents of these arguments maintain that it is therefore premature to focus on issues related to the weaponization of outer space. While we welcome the general pledge not to allow space to become the next theatre of war and conflict, it is clear to my delegation that the weaponization of outer space by one player can prompt others to do the same, which may lead to an arms race in outer space. If we wait for space to become weaponized before we take action, it will not be long before we have to find yet another cure for something that could have been prevented.

My delegation believes that this should be and can be prevented if we take action now. It is for this reason that South Africa remains supportive of the earliest possible commencement of negotiations in the Conference on Disarmament on a legally binding instrument or instruments on the prevention of an arms race in outer space.

Beyond the commencement of negotiations in the Conference on the prevention of an arms race in outer space, the work of the Committee on the Peaceful Uses of Outer Space should also be intensified, particularly on those non-weapon issues that may have an impact on long term sustainability, including space debris, which remains an issue of concern to all of us.

The President: I thank the representative of South Africa for his statement. The next speaker on my list is the representative of Mexico, Mr. Alonso Martínez Ruiz.

Mr. Martínez Ruiz (Mexico) (*spoke in Spanish*): Mr. President, please let me start by extending our appreciation to the four panellists, who have provided context for the topic of prevention of an arms race in outer space and shown the importance of the Conference beginning substantive negotiations on the peaceful use of outer space as soon as possible. We also align ourselves with the presentation made by the delegate from Kenya on behalf of the Group of 21.

Mr. President, we are gravely concerned by the latest news that some States have openly stated their intention to build offensive capacities in outer space in the interest of national security. Even during the meetings of the First Committee and of our Conference on Disarmament, we hear about incidents and activities in orbit that suggest that the militarization of outer space may already be under way. All those developments only deepen our profound concern about the reluctance of some States to eliminate their mass destruction capacities and put an end to excessive increases in their military spending. In this context, it is awful that outer space should once again be considered a viable and legitimate setting for the deployment of all types of weapons, provoking and justifying an ill-advised arms race. Aside from the potential to trigger an arms race, it is unacceptable to jeopardize, intentionally or collaterally, telecommunications, navigation or meteorological and observation systems that are crucial to everyday activities the world over.

Mexico considers that it is clear that the international community has agreed to reserve outer space for peaceful purposes for the benefit of all humanity. The Outer Space Treaty remains fully in force and, like any other United Nations treaty related to outer space, must be respected. We therefore call on all actors, whatever the circumstances, to refrain from placing weapons in outer space. In addition, we must sustain our efforts to consolidate a legal framework that is truly capable of preventing an arms race. In this context, Mexico is committed to negotiating a legally binding instrument on the issue, while it regrets the deadlock in the Conference on Disarmament, which has proved unable to deliver on its mandate for over 22 years, thereby keeping us from making progress towards this goal.

Mexico believes that the best way to meet this objective is to impose a total ban on the militarization of outer space and then on all weapons of mass destruction, whatever their type or location. We therefore support the development of new international agreements, based on international law and cooperation, that will build confidence and, despite the ever-expanding catalogue of threats, make the world a safer place.

At the same time, and prior to the conclusion of negotiations on legally binding instruments, we must work on risk reduction through transparency and verification, as well as on confidence-building measures such as codes of conduct and bilateral and multilateral commitments. These confidence-building measures must be intermediate measures, not a substitute for legally binding prohibitions.

In that regard, we support General Assembly resolution 75/36, on reducing space threats through norms, rules and principles of responsible behaviours. Mexico believes that, considering the importance of the issue, a consultative process led by the Secretary-General that does not prejudice future alternatives is an appropriate way to move forward the discussions on reducing space threats.

Mexico recognizes that, for certain space activities, it is hard to distinguish between military and civilian activities or between peaceful and hostile uses, and it is therefore important that the General Assembly holds a broad and democratic discussion on this subject. Any consultations on the subject should take into account the exponential development of space activities by an increasing number of States, as well as by private corporations that have become major players in the advancement of space exploration for civilian, military and dual-use purposes.

Mexico wishes to reiterate that declarations by a country to the effect that it will not be the first to deploy weapons in outer space should not be misconstrued as a tacit endorsement of any supposed right to deploy weapons in outer space or deliver them from Earth if another State has done so first or to do so in response to an attack. Such a situation may trigger an arms race in outer space and be used as an excuse to place weapons in outer space, something to which Mexico is totally opposed.

Mr. President, the joint use and deployment of space science and technology yields benefits for humanity in areas as diverse as health, education, telecommunications and broadband satellite services, the environment, agriculture and food security. It is time for the international community to make a genuine commitment to prevent an arms race in outer space and eliminate the threat posed by the militarization of outer space, thus ensuring that all dimensions of space technology efforts are used exclusively for peaceful purposes.

The President: I thank the representative of Mexico for his statement. He was the last speaker on my list. I have one request for the right of reply, from the Russian Federation. I give the floor to Mr. Andrey Belousov.

Mr. Belousov (Russian Federation) (*spoke in Russian*): Distinguished colleagues, I wish to exercise my right of reply in order to make for a more constructive and balanced discussion of the topic of the prevention of an arms race in outer space, a topic that is important for the international community, and to make our overall view of the security situation in outer space more comprehensive and objective.

Once again we have listened with curiosity to a statement by our distinguished colleague, the Permanent Representative of the United States, Robert Wood, in which he took the liberty of repeating accusations against Russia. Their essence was that my country poses a real threat to the space activities of other nations. I have to object categorically to such provocative statements.

For almost 65 years, the Russian Federation has been and remains a responsible participant in space activities, consistently abiding by the norms and principles of contemporary international space law. My country's space activities are fully consistent with its obligations under the 1967 Outer Space Treaty. The preservation of outer space for peaceful purposes is a priority of Russian policy on outer space. This is evidenced by the provisions of our military doctrine, adopted in December 2014. This document enshrines the desire of the Russian Federation to seek a legally binding agreement to prevent an arms race in outer space.

In making statements like this, my esteemed American colleague is modestly silent on the role of the United States in heightening tension, increasing turbulence and decreasing security in low-Earth orbit. The statements made by representatives of the United States do not address the kind of proactive activity that we estimate would have the greatest impact on strategic stability and international security.

Let us look at them in order. For over a decade, we have listened to the concerns expressed by the United States and its closest allies about the threat posed by possible land-based anti-satellite systems. However, in its efforts to engage in peremptory criticism of others, the United States has yet to offer any constructive initiative to address that threat. It is fair to say that the international community has already run out of patience waiting for at least some ideas in this regard from the leading space power, which is the United States. Instead of initiating or at least agreeing to talks on the Russian-Chinese draft Treaty on Prevention of the Placement of Weapons in Outer Space, the United States has actively supported the idea of developing some vague rules of responsible behaviour in space. The calculation seems to be that such voluntary rules, developed with poorly elaborated terminology and definitions that do not require verification, will not pose a serious obstacle to the United States carrying out its plans in space, including its weaponization. We see this as a clear contradiction between what the United States declares and the space policy it pursues.

I would recall that United States programmes to develop anti-satellite weapons were in their final stages back in the mid- to late 1990s. I am talking about plans for airborne laser anti-satellite systems. A whole series of tests were conducted on them. It would be unjustified to say that all these developments, in which billions of dollars have been invested, have long been forgotten and are not currently being taken forward.

I also recall the anti-satellite capability of the interceptor missiles developed by the United States as part of the implementation of a global missile defence programme. This capability was demonstrated in 2008 when the United States destroyed its spy satellite USA-193 with an SM-3 missile that was part of the Aegis Ashore sea-based system. We are accordingly led to the conclusion that the accusations against other States and the exaggerated furore over the threat of ground-based anti-satellite systems are nothing but a clumsy attempt to divert the international community's attention from its own nefarious activities. At the same time, the lack of proposals to curb this threat suggests that the United States is not at all interested in eliminating it.

I would draw attention to another point, namely, the current de facto unfettered space activities of the United States. American satellites are now being launched en masse, which looks increasingly like a creeping expansion in space with the aim of staking out as much near-Earth space as possible. The American satellite fleet will soon number about 1,500 objects, which, by the way, will exceed the space assets of all other participants in space activity. Incidentally, according to specialists, it is the unlimited launches of satellites into space that are the main source of long-term space debris in low-Earth orbit. In this connection, it should be noted that the United States continues to register all of its satellites, whether for scientific or military purposes, exclusively as communications or meteorological satellites. In this way, it hides their real functions. This decreases the predictability and transparency of space activities that the United States continuously advocates in various international settings.

In addition, over the past 15 years, the United States has actively pursued public-private partnerships in the space arena. The close interaction by the State with commercial interests in carrying out space programmes, including in the interests of the United States Department of Defense, was also affirmed in the United States National Space Policy of 2006, as well as in a similar document of 2010 and in subsequent documents related to the space activities of the United States.

A striking example of such cooperation was the creation of the X-37B reusable uncrewed space shuttle by the Boeing Corporation for the Pentagon. This spacecraft has very revealing specifications, including the ability to perform repeated manoeuvres in space. Its purpose is still not entirely clear, but we can assume that it has the widest application, including combat operations and the destruction of space objects. And this does not appear

to be the only example of United States commercial and scientific entities that are engaged in space exploration and research while working for the United States Department of Defense.

Once again, we have also heard the well-known argument against the draft Treaty on Prevention of the Placement of Weapons in Outer Space: that it does not meet the national security interests of the United States. This argument seems to have been adopted by our American partners not only in relation to the Russian-Chinese initiative. Consistent with it, the United States also withdrew from the 1972 Anti-Ballistic Missile Treaty in 2002, broke the Intermediate-Range Nuclear Forces Treaty in 2019 and announced its withdrawal from the Open Skies Treaty in 2020. One gains the impression that virtually the entire system of international arms control and disarmament agreements does not meet this criterion.

I assume that my American colleague will again accuse me of propaganda, but everything that I have said here can be read in United States documents, heard in speeches by American dignitaries and even seen with the naked eye in still peaceful outer space.

The President: I thank the representative of the Russian Federation for his statement. Another request has been made for the right of reply by the United States of America. Ambassador Robert Wood, you have the floor.

Mr. Wood (United States of America): My apologies for taking the floor, Mr. President, but I need to respond to the remarks made by my Russian colleague. I promise not to go on at any length.

We have certainly heard a lot about the issue of space over the past several days this week. My Russian colleague accused the United States of not putting forward any initiatives. We have been very clear. We are very supportive of the idea of establishing responsible norms of behaviour. We think that it is an important first step if we are ever to get to a legally binding instrument. But, clearly, the draft Treaty on Prevention of the Placement of Weapons in Outer Space is not an instrument that is going to find consensus in this body.

We have always said, from the United States perspective, that any legally binding instrument or any initiative on space needs to be equitable, effectively verifiable and in our national security interests and those of our allies. We have been very consistent on that issue. But we are willing to look at initiatives that can deal with those concerns that we have.

The problem is that the draft Treaty does not address any of these issues in any way. And we have said over time that this issue of terrestrial-based anti-satellite weapons is fundamentally important and is excluded from the draft Treaty. When we make these charges, you will then hear the Russian delegation come back to us and say, “you can make any edits you want to our draft, and we will take a look at them”. This is not an issue of changing “happy” to “glad”. This is a very serious national security interest concern for the United States.

We can sit here and talk all day about the need to negotiate a legally binding instrument – certainly one day I hope that we are able to do that in the Conference on Disarmament – but the reality is that we are not going to be able to find consensus on this draft Treaty for now, for the reasons that I have outlined.

What we should do, then, instead of trying to engage in the negotiation of a very fatally flawed document that would go on for years, is to take some steps to try to build confidence. That is the only way you get to a legally binding instrument. To think that the Conference can sit down and have negotiations over the draft Treaty within a short time frame and solve all of the concerns that we all have about outer space is simply unrealistic.

What we do need to do, though, if we are eventually going to get to the negotiation of a legally binding instrument is to take those first steps, and we think that establishing responsible norms of behaviour is the right way to go. So, while I have had to sit here and listen to typical, tired, old, stale Russian propaganda – something we are used to, I might add – I am not going to engage any further in trying to counter everything that has been said here. But for my Russian colleague to say that the United States has never been supportive of any kind of initiative on space is simply not true.

And I will leave it there, Mr. President – I do not want to take up any more time than necessary, but our Russian colleagues are being very disingenuous when they make

accusations of what one of them called propaganda, because propaganda is simply what we heard. If Russia is serious about doing something to address the concerns that all of us have about space, then let us sit down and work with a number of countries on developing these norms. Again, if we think somehow that negotiating a draft treaty right now is going to address in any way the concerns that we all have, we are kidding ourselves. Any kind of negotiation would go on for years and years and years, and we would be preoccupied with it and nothing would be done to deal with those pressing issues. And then technology would be changing, so we need to be realistic about that if we are serious about addressing space threats.

The draft Treaty on Prevention of the Placement of Weapons in Outer Space is not a realistic option for dealing with these threats, so my recommendation is that we work on something that is doable and practical and get away from this idea that beginning negotiations over the draft Treaty is going to solve all these issues, because it will not.

The President: I thank Ambassador Wood for his statement. The Russian Federation has again requested the right of reply.

Mr. Belousov (Russian Federation) (*spoke in Russian*): I will be brief, Mr. President. First, the Russian Federation has never claimed that the draft Treaty on Prevention of the Placement of Weapons in Outer Space, submitted to the Conference on Disarmament by Russia and China, is the only option for preventing an arms race in outer space. We have repeatedly stressed, and have asked our colleagues to consider, that this draft should be seen as an invitation to substantive, constructive dialogue on the basis of equality of the parties and taking into account their interests. That is my first point.

Secondly, the Russian Federation has never refused but, on the contrary, has always been in favour of continuing dialogue with all interested countries in order to solve all the pressing problems in outer space.

The President: I thank the representative of the Russian Federation for his declaration. I now give the floor to Ambassador Robert Wood for his second right of reply.

Mr. Wood (United States of America): I apologize for taking the floor again, Mr. President, and I will also be very brief. I would just submit to my Russian colleagues that, if indeed the draft Treaty on Prevention of the Placement of Weapons in Outer Space is not the only initiative that you are willing to entertain, why do we not have a serious discussion on norms of behaviour? Because, in essence, as I have said, there will never be anything near consensus on the draft Treaty in the Conference on Disarmament. If, then, our Russian colleague is indeed willing to entertain other initiatives, let us focus on something that is actually doable, let us move forward on one that actually makes sense, that is practical and realistic, and not focus on one that will not garner consensus.

The President: I thank Ambassador Wood for his statement.

Is there any other delegation that wants to take the floor? I see none. Distinguished delegates, before I conclude, I would like to thank our panellists and colleagues who took the floor on Tuesday and today in the thematic discussion on the agenda item "prevention of an arms race in outer space". I also want to thank the Conference on Disarmament secretariat, interpreters and all other staff members.

Our next plenary meeting will take place on Tuesday, 8 June, and will be dedicated to thematic discussion on agenda item 4, effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. Further information on the schedule will be communicated through the Conference secretariat. The meeting is adjourned.

The meeting rose at 11.35 a.m.