Fifteenth special session
COMMITTEE OF THE WHOLE OF THE
FIFTEENTH SPECIAL SESSION
Agenda items 10 and 12

ASSESSMENT OF THE IMPLEMENTATION OF THE DECISIONS AND
RECOMMENDATIONS ADOPTED BY THE GENERAL ASSEMBLY AT ITS
TENTH AND TWELFTH SPECIAL SESSIONS

ASSESSMENT OF DEVELOPMENTS AND TRENDS, INCLUDING QUALITATIVE AND
QUANTITATIVE ASPECTS, RELEVANT TO THE DISARMAMENT PROCESS, WITH
A VIEW TO THE ELABORATION OF APPROPRIATE CONCRETE AND PRACTICAL
MEASURES AND, IF NECESSARY, ADDITIONAL PRINCIPLES, TAKING DULY
INTO ACCOUNT THE PRINCIPLES AND PRIORITIES ESTABLISHED IN THE
FINAL DOCUMENT OF THE TENTH SPECIAL SESSION OF THE GENERAL
ASSEMBLY, THE FIRST SPECIAL SESSION DEVOTED TO DISARMAMENT

Working paper submitted by Argentina

Prevention of an arms race in outer space

1. Outer space has acquired unprecedented importance as a scene of human activity
and a field for technological and scientific development. The space Powers and
many other countries of the international community are carrying out activities of
the greatest importance, many of them directly or indirectly related to their
security.

2. Analysis of the problem of outer space in the disarmament context raises
extremely complex issues where the elaboration of the appropriate politico-legal
framework is concerned. At present, the topic is the subject of bilateral
negotiations between the United States and the Soviet Union and - unfortunately -
only of discussion in multilateral forums.

3. The deliberations being conducted by the Conference on Disarmament through the
Ad Hoc Committee on the Prevention of an Arms Race in Outer Space are extremely
useful in terms of clearly defining where the international community stands today
with respect to the problem of possible military uses of outer space.

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4. Particular emphasis should be placed on the exhaustive analysis the Ad Hoc Committee has conducted of the existing multilateral legal régime on the subject.

5. As a result of this analysis, the following aspects can be clearly identified:

(a) With respect to celestial bodies:
   (i) Celestial bodies may be utilized exclusively for peaceful purposes;
   (ii) Military use of celestial bodies is excluded;
   (iii) The testing and deployment of nuclear weapons and weapons of mass destruction, as well as of weapons which are neither, are also prohibited;

(b) With regard to outer space:
   (i) Nuclear weapons or weapons of mass destruction may not be installed on celestial bodies or stationed in this environment in any manner;
   (ii) It is also prohibited to place nuclear weapons or weapons of mass destruction in Earth orbit.

6. These are the fundamental provisions of the legal régime in force. It should be pointed out that there is no multilateral agreement with respect to the testing and emplacement of weapons which are neither nuclear nor weapons of mass destruction.

7. It is thus apparent that significant gaps exist in this legal régime, which needs to be improved.

8. This conclusion has been recognized by the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, which in its report on its session in 1987, in other words less than a year ago, clearly indicated, reflecting a consensus opinion, that the legal régime applicable to outer space, as such, was not sufficient to guarantee the prevention of an arms race in outer space.

9. Technological developments clearly indicate that the present and future militarization of outer space will probably not include weapons of mass destruction, for which reason, unless the existing legal régime is improved, outer space will remain open to an arms build-up carried out by the space Powers as and when they choose.

10. The suggestions that the régime of the high seas might be analogous in nature to the body of rules applicable to outer space are unacceptable. The régime of the high seas, far from being a model of what a legal framework designed to preserve peace should be, is a clear example of what should be avoided. Seas and oceans constantly patrolled by fleets equipped with all types of weapons - including nuclear weapons - are a poor example or model for other environments.
11. It is essential for the international community to be given proper guarantees that the arms race in outer space has not started. To this end, at this special session devoted to disarmament the space Powers should formally declare that they have not stationed weapons permanently in outer space.

12. It may be asserted that there is no question of greater importance in a forward-looking analysis. If the arms race in outer space is not prevented, the space Powers will begin seeking to delimit hegemonies in this environment, thus introducing a destabilizing factor on the international scene, with unforeseeable consequences.