Mr. Chairman,

Brazil believes that it is in the best interest of the international community to start negotiations on a legally binding instrument to prevent the placing of any kind of weapon in outer space.

There is a widespread recognition of the impending danger resulting from the insufficiency of legal coverage to deal with the problem of weapons in space.

The placement of weapons in outer space would have extremely serious consequences. It would deepen global insecurity and affect all countries, those that have and those that do not have technological capacity to launch orbital objects.

The world we live in depends on space activities. An estimated 3,000 satellites are operational, providing vital services in an intricate web of information and communications. The interruption of such satellite services as a result of weapons in space would cause a major global collapse.

More than 30 years ago, the CD was called upon by the SSOD-1 to consider the issue of preventing an arms race in outer space. While there were concrete exchanges on this issue between 1985 and 1994, since then, it has been only possible to discuss the matter informally, due to the opposition raised by some member States.
Lack of consensus to move forward this item of the CD Agenda has not precluded delegations from putting new proposals on the table.

Brazil believes that the proposal of a draft “Treaty on Prevention of the Placement of Weapons in Outer Space and of the Threat or Use of Force against Outer Space Objects” (the so-called PPWT), tabled in 2008 by Russia and China as a CD working document, is an excellent basis to start discussions on a legally binding instrument to regulate the matter. In its present wording, it is still an outline, with some elements that could be useful in a treaty. We could seek to work to give further substance and a more precise language to it. The encouraging aspect of this initiative is that this document has already been object of fruitful interaction among Member States of the CD.

Another set of proposals relates to the issue of Transparency and Confidence Building Measures (TCBMs). Contributions in this regard have also been presented in the CD. Through UNGA Resolution 65/68 a Group of Governmental Experts has been established and is currently carrying out its work. Brazil recognizes that TCBMs can foster mutual understanding, political dialogue and cooperation among States. Yet TCBMs are not legally binding, and do not stipulate any obligations to States, their implementation relying basically on States’ political commitment and goodwill.
An alternative now under consideration is the negotiation of an International Code of Conduct on Outer Space Activities. Again, by not being legally binding, compliance is based solely on the goodwill of States - as long as they wish to declare their observance to it. As useful as it may be, it should be pointed out that the text deals primarily with the issue of the peaceful uses of space. In Brazil's view, it does not fully cover the complexities of space security, which requires a specific instrument. The current draft contains one element that, in Brazil's view, presents serious difficulties. The reference to self-defense could be interpreted in a way that justifies the use of force in outer space. That is a scenario we cannot afford to contemplate, not even in theory.

Mr. Chairman,

As mentioned by the Brazilian delegation in our statement in the General Debate, we can and we must aim for a legally-binding instrument. Brazil expects that the Conference on Disarmament adopts its Program of Work early next year, with the inclusion of a Working Group on PAROS. This could be the first concrete step to bring together all perspectives and proposals with a view to the negotiation of a legally-binding instrument.
A forward movement in the CD implies political will to engage in discussions. Some member States blame the CD, affirming that it is a dysfunctional institution, because of its rule of consensus that allegedly prevents negotiations in certain areas. Surprisingly, concerning other items, like PAROS, the use of consensus has been deemed perfectly legitimate. If we wish to advance the Program of Work of the CD, there has to be coherence and commitment of its members to engage in all the issues of the agenda for disarmament.

Discussions on the issue of PAROS have shown that the use of outer space for military purposes is firmly underway. The international community must work hard and united in order to prevent the next step: the placement of weapons. Brazil believes that few issues are as ripe and calling for immediate actions as this one.

Thank you, Mr Chairman.