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Statement
by
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SPACE SECURITY AND THE PREVENTION OF AN ARMS RACE IN OUTER SPACE

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Déclaration
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de la Conférence du Désarmement

SÉCURITÉ ET PRÉVENTION DE LA COURSE AUX ARMEMENTS DANS L'ESPACE

Genève, le jeudi 26 août 2004

Mr. President,

Today I would like to speak to a prominent element of the CD's envisaged Program of Work – the Prevention of an Arms Race in Outer Space. Delegations will recall the productive exchange of views on this subject during the informal CD plenary on May 27. Canada's position, as confirmed by Prime Minister Paul Martin, is profoundly opposed to the weaponisation of space and strives to protect space as a universal good. We are committed to seeing the Conference on Disarmament play a major role in this regard, through re-instituting an Ad Hoc Committee to discuss PAROS in all its aspects. The re-establishment of such a Committee would also respond to the call of UNGA Resolution 58/36 and its predecessors.

We were pleased by the favourable reactions to the March 25-26 workshop on "Safeguarding Space for All" that the Government of Canada co-sponsored with several partners. At the workshop there was broad recognition of the importance of protecting the secure use of space for the increasing number of everyday peaceful space activities upon which the world relies. A variety of interesting ideas were discussed at this event, including the establishment of a model Code of Conduct to prevent dangerous activities in space and unilateral declarations of no first deployment of space-based weapons. If adopted, such measures could help build confidence that no nations will station weapons in space and could lead us closer to our objective of an eventual ban on space-based weapons.

Turning to the issue of a possible treaty banning space-based weapons, we appreciate the significant contribution China and Russia have made to CD thinking in this regard, including the leadership they showed in producing their joint working paper on elements of a PAROS convention (CD/1679). As a contribution to further work in this area, my delegation would like to discuss some key issues related to a space weapons ban. These include definitional questions related to such terms as "space objects" and "space weapons", as well as the need for verification provisions in a space weapons ban.

Delineating the scope of an arms control agreement is an important requirement of negotiation that is linked in turn to how one defines the principal elements of such an agreement. By way of an example, let us consider for a moment what we mean by "space object". This term is defined in the 1972 Liability Convention and the 1974 Registration Convention. Given the vagueness of these definitions however, we may consider whether we should expand upon them or find a substitute formula. Various approaches may be taken. For example, one approach could consider any object physically located in outer space as a space object. Another approach could integrate the requirement that the object also complete one full orbit around earth before qualifying as a space object.

Similarly, any treaty seeking to prohibit or limit space weapons will also require a definition of a "space weapon" in order to be precise about what the treaty will govern. Here again, a range of options present themselves. For example, some definitions are concerned primarily with the severity of action (destructive versus non-destructive and temporary versus permanent effects). Yet others focus on the method of action (kinetic energy or directed energy) used to achieve the desired effect. Additional considerations include whether a space object used to harm or threaten another space object should constitute a weapon (i.e. the distinction between an item designed for an offensive purpose or merely used with intent). Consequently, a definition of a weapon could, for example, consist of three elements: i) a description of the device, ii) its intended effects and iii) the method by which the effect is to be achieved.

The scope of any eventual treaty will therefore need to be made clear through specific definitions. Should a "space weapon" be defined in the context of the location of its target (only in space or only terrestrial or both), or is a space weapon better understood by its own location (only those based in space or also those based terrestrially, but aimed at space objects or both)? This will help to clearly differentiate whether terrestrial-to-space, space-to-space or space-to-terrestrial weapon-to-target engagements are the scope of the intended prohibitions.

The creation of a definition of space weapon relevant to the negotiation of an eventual arms control accord on this subject will require that the CD take account of all of these aspects. Such a development of common understandings on key terms will be a crucial task for the work of a dedicated PAROS committee in the future

Turning now to another vital dimension of the PAROS endeavour, Canada also believes that verification provisions must be included in any space weapons ban as a necessary element of any eventual treaty. When governments place their trust in international instruments, they must be secure in the knowledge that participating parties are living up to the commitments they have undertaken in signing the agreement. In agreeing to restrain their own activities, states will want to know that the treaty is effectively verifiable for everyone concerned and that any party not complying with its terms will be exposed. Some may argue that the verification issue is too contentious to include, while others may assert that verification provisions are essential in order to make the treaty's provisions effective. Canada's position is that the strategic importance of space requires adequate verification measures: the military advantage that could be acquired by circumventing an envisaged space weapons ban presents too great a risk to permit foregoing the measures necessary to confirm compliance.

We are also of the view that deciding to negotiate a space weapons ban without verification provisions, in the hope of adding them later, would only make such provisions more difficult to achieve in the long run. Witness the sad experience of the proposed Verification Protocol to the BTWC in this context.

While the technical challenges surrounding verification of a space weapons ban are significant and complex, we do not consider them to be insurmountable. Canadian research some years ago on this very topic yielded many effective approaches and technological means have improved greatly since that time.

Definitions and verification are two of the prominent issues with which we will need to come to grips in negotiating an eventual space weapons ban. I hope this brief discussion of some of the diplomatic, legal and technological considerations involved in such a negotiation will wet your appetite for the main course: renewed work in the context of a re-established Ad Hoc Committee on PAROS. I look forward to sitting down with you at that table.

Thank you