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STATEMENT

by Ambassador Leonid A. SKOTNIKOV
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at the Plenary Meeting of the Conference on Disarmament

"Prevention of an Arms Race in Outer Space"

Geneva, 26 August, 2004

Mr. President,

The issue of preventing the placement of weapons in outer space and, thereby, preventing an arms race in outer space is Russia's clear priority among the items of the agenda of the Conference on Disarmament.

Outer space is rapidly gaining importance in life of mankind and in ensuring its further progress. We become increasingly dependent on space technologies. Even now it is not difficult to imagine the dramatic consequences which the disruption of normal operation of spacecrafts would entail for our everyday life, not to mention combats in outer space.

More than 130 States currently participate, to one extent or another, in outer space activities and either have their own outer space programmes, or are devising programmes to use information from outer space assets, including those in the interests of national defense.

The use of outer space, on one hand, is, objectively, one of the most important ways of solving global problems facing mankind, including power generation, information, rational use of natural resources, preservation of environment, coping with consequences of natural disasters. On the other hand, should the situation take an unfavorable turn, outer space may also become a new sphere of military face-off, a source of new threats to all.

The use of space systems for military purposes now is constantly on the rise. In principle, a notion of military outer space activities has emerged in world practice. In the opinion of the Russian Federation, this is any activity connected with direct use of outer space for military purposes. Naturally, we are talking about activities carried on in accordance with international law, including the Charter of the United Nations, in the interest of maintaining international peace and security. In the course of such activities in the Russian Federation, both stand-alone spacecrafts and orbital satellite groupings have been developed and put to use. They perform such tasks as detection of ballistic missile launches, opto-electronic and radio-electronic reconnaissance, global communication and information relay, navigation, geodetic and meteorological support. Their normal functioning contributes to maintaining strategic stability and international security by the way of creation of a more transparent and predictable regime of military activities, as well as to monitoring compliance with arms limitation treaties. Although these outer space systems have military predestination, they obviously are not weapons, as they are not designated to strike an enemy in a military combat and do not create a threat of attack in outer space or from outer space.

As a rule, these space systems are used not exclusively in the military area, but also in the civil one. Thus, photo- and opto-electronic reconnaissance systems of the Russian Federation are used for monitoring technogenic accidents and natural disasters, and elaborating recommendations on how to remedy their consequences. Space systems designed to detect launches of ballistic missiles are also used to detect forest wildfires in sparsely populated areas of Siberia and

the Far East. Space navigation support satellite grouping helps to assure safe operation of various transportation systems, as well as search and rescue in emergencies.

However, various military outer space systems, depending on their designation, can have not only positive, but also negative influence on strategic stability and international security.

We do not regard systems that are created to perform information support tasks, without a purpose to cause damage to other objects, as a factor of the threat to international security. But this does not apply to those systems, which are generically designed to hit various objects or disrupt their normal functioning and which could be referred to as "space weapons". In general, the term "space weapons" means systems or devices, based on any physical principle, launched into the orbit around the Earth or placed in the outer space by any other way, which are produced or converted to destroy, damage or disrupt normal functioning of objects in outer space, as well as targets on the surface of the Earth or in the air. Space weapons are conceived to impact directly adversary's assets, and by its nature can be both weapons of mass destruction or conventional ones, including those based on new physical principles.

The placement of weapons in outer space could undermine existing arms control agreements, first and foremost those related to nuclear weapons and missiles, and provoke a new spiral of an arms race. Transformation of outer space into a potential arena of military combat could carry serious threats of disrupting strategic stability and international security.

Placement of weapons in outer space could have a major impact on military strategic balance, create an illusion of feasibility of an unpunished first strike and multiply importance of a factor of surprise. Thus, such weapons would be destabilizing by their nature, whatever the category they belong to - offensive or defensive.

Space weapons, should they be created, would de-facto be a new type of strategic arms. Those possessing them would obtain considerable strategic advantages. This would necessarily lead to countermeasures by other States in order to ensure their security. Such measures – both symmetrical and asymmetrical; in outer space and on the ground – may negate all efforts in disarmament in nuclear, missile and other spheres, give a strong boost to proliferation of weapons of mass destruction and their means of delivery, contribute to emergence of new forms of terrorism which may seem fantastic now.

Placement of weapons in outer space would increase the risks arising from short time for taking decision on its combat use. Hence a considerable growth of danger of taking wrong decisions and uncontrolled developments because of malfunction or false alarm.

In addition to missile defense, space weapons are capable, in parallel and much more effectively, to destroy spacecrafts. A Side possessing space weapons would have the opportunity to eliminate, without obstruction, space systems of another Side, considered to be its adversary, by inflicting substantive, and in certain cases irreparable technological damage. It is worth noting, that even the very impact on a satellite belonging to another State, may be perceived, especially in a crisis situation, as an armed attack - with all the resulting consequences.

The damage may not be confined to the military segment of an outer space grouping. Since the use of outer space assets involves considerable amount of integration of both military and civilian users, as well as a large number of States and international organizations in certain outer space programmes (e.g. outer space meteorology and navigation), the damage to, or disruption of such systems could bring about global implications.

While considering military aspect of an application of outer space weapons against ground and air targets, one should not forget that strikes from outer space could menace objects of critical infrastructure, whose normal functioning have a direct bearing on national security of States.

One cannot also ignore dangers of the impact of outer space weapons on the Earth's biosphere, which can cause harmful implications for humankind. Besides, even in the course of possible space-based weapon testing on low earth orbits a great number of fragments would be left. This can aggravate the already acute problem of "space debris".

Thus, the emergence of weapons in outer space is fraught with arrival of a tangle of serious complications and dangers.

As far as the existing nuclear missile arsenals of Russia and the United States are concerned, strategic defensive systems, including space-based ones, will not have, in a short run, a decisive influence on sustaining stability. However, with the view of the planned further deep reductions in nuclear and missile weapons, these systems could dramatically destabilize the environment. The emergence of means of warfare in outer space and from outer space can drastically change the situation.

Creation of outer space weapons is certainly not our choice. We would like to underline, that today and for the near future the Russian Federation has no plans to create or place in outer space any space weapon system. Besides, Russia consistently adheres to its moratorium on ASAT systems testing.

Mr. President,

Such dramatic scenarios, similar to those mentioned above, must be avoided. Outer space should stay a sphere of cooperation and mutual understanding rather than confrontation.

Sometimes, Mr. President, albeit seldom, we hear statements that existing international outer space law is sufficient to prevent an arms race in outer space and there is no need in its further development. We find it difficult to accept.

There are obvious *lacunae*. Among unregulated – and therefore non-prohibited – activities in outer space one can, *inter alia*, mention development, testing and deployment of anti-satellite weapons; development, testing and deployment of space-based missile defense systems and their components; creation and deployment in outer space of means of optical and radio-electronic jamming of space-, air- or ground-based technical assets, and the others.

Filling these gaps, at least partially, is the purpose of the proposal by Russia and China, contained in the working paper CD/1679, co-sponsored by a group of other States, on elaboration of a Treaty on the Prevention of the Deployment of Weapons in Outer Space, the Threat or Use of Force Against Outer Space Objects.

It is suggested that this treaty should provide for three basic obligations.

First, "not to place in orbit around the Earth any objects carrying any kinds of weapons, not to install such weapons on celestial bodies, or not to station such weapons in outer space in any other manner". This is a modified language of the 1967 Outer Space Treaty, and it is applied not only to weapons of mass destruction, as in the OST, but to all weapons. During discussions which took place after the emergence of our joint document, we were given a good advice, that we are going to follow, to add to this obligation a modified Moon Agreement language on the prohibition of the deployment of objects carrying any kinds of weapons in orbit around the Moon and other celestial bodies or on other orbital trajectories to the Moon and other celestial bodies or around them.

The term "in any other manner" here means that weapons will not be placed in outer space by launching separate elements, each of them not being a weapon, and by their subsequent assembly to form a weapon.

This implies that a weapon would be considered stationed in outer space if it orbits the Earth at least once or follows a section of such a trajectory before being accelerated out of that orbit, or acquires a stable station anywhere beyond the Earth's orbit. Accordingly, the proposed ban on the placement of weapons in outer space does not apply to ballistic missiles, their re-entry vehicle platforms and RVs themselves, which travel through outer space.

Although the first proposed obligation applies to all kind of weapons, we see the possibility for certain agreed exceptions deriving from common sense, e.g. allowing weapons necessary to ensure personal safety of astronauts after their landing back on the Earth or other celestial body.

Second, "not to resort to the threat or use of force against outer space objects". All Member States of the United Nations are bound by the obligation contained in the UN Charter "to refrain in their international relations from the use or threat of use of force". This obligation fully applies to activities conducted by States in outer space. The thrust of our proposal is to develop the international legal principle of the non-use of force as far as such activities are concerned. We envisage, in particular, to add an explanation that the ban on "the

threat or use of force" includes an obligation not to attack space objects, not to destroy them or not to interfere with their normal operation in any other way.

In principle, this obligation embraces a broad range of possible actions against outer space objects, namely, destruction, damaging, injuring its functioning, disruption of communication channels with ground command and control centers, deliberate change of parameters of its orbit etc. In any case, what is meant is the prohibition of such kind of *actions* against outer space objects, rather than the *means* by which such actions can be executed. In other words, it's a ban on activities, not on "hardware", although the former could, naturally, influence the latter.

Third, "not to assist or encourage other States, groups of States, international organizations to participate in activities prohibited by the Treaty." This is, *sui generis*, an obvious "non-proliferation" norm.

In practical terms, all these three obligations boil down to the prohibition of space-based weapons and the use of force against outer space objects. We are sure that our proposal is realistic, practically feasible and that it corresponds to the interests of all. This is especially true now, when there are no strike weapons in outer space and no decision has been taken to place them there. Disease prevention is always easier than its treatment.

Obviously, we do not seek to prohibit operation in outer space of the mentioned space systems created to perform the tasks of information support. To reflect the idea, the joint document explicitly states that the treaty "shall not be construed as impeding the research and use of outer space for peaceful purposes" or "military uses not prohibited by the Treaty".

We have already drawn attention to the fact that nothing in the Russian-Chinese working paper was "carved in stone". This is not a static form; rather, this is an invitation to dialogue and collective creativity. We express gratitude to all States who contributed to the discussions on the document. We are satisfied with on-going discussions. As a further elaboration on the topic, Russian and Chinese delegations have jointly prepared, and will distribute today, a non-paper on the issue of verification of implementation of the future instrument, as well as a review of existing international law related to weaponization of outer space. These non-papers will be introduced today by our Chinese colleagues. We also plan to prepare one more non-paper - on the issue of terms and definitions of the proposed treaty. We hope that the non-papers will stimulate further, more substantive and profound discussions on the Russian-Chinese working paper. They also represent our contribution to the future work of a CD Ad Hoc committee on PAROS, which, as we hope, will be re-established within the framework of an agreed Programme of work of the Conference. In this connection, we reiterate our readiness to support consensus on the CD Programme of work based on the A5 proposal.

We would recall that, as a first practical step in this direction, Russia proposes to declare moratorium on placement of weapons in outer space,

pending a conclusion of an appropriate agreement by the international community. The Russian Federation would be prepared to immediately assume such an obligation if other leading outer space powers join the moratorium.