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CONCLUSION OF A TREATY ON THE PROHIBITION OF THE STATIONING  
OF WEAPONS OF ANY KIND IN OUTER SPACE

Report of the the First Committee

Rapporteur: Mr. Luvsangiin ERDENECHULUUN (Mongolia)

I. INTRODUCTION

1. The item entitled "Conclusion of a treaty on the prohibition of the stationing of weapons of any kind in outer space: report of the Committee on Disarmament" was included in the provisional agenda of the thirty-seventh session in accordance with General Assembly resolution 36/99 of 9 December 1981.

2. At its 4th plenary meeting, on 24 September 1982, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 29 September, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely items 39 to 57, 133 and 136. The general debate on these items and on items 138 and 139, which were allocated to the the First Committee by the General Assembly at its 24th plenary meeting, on 8 October 1982, took place at the 3rd to 28th meetings, from 18 October to 5 November (see A/C.1/37/PV.3-28).

4. In connection with item 57, the First Committee had before it the following documents:

- (a) Report of the Committee on Disarmament; 1/

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1/ Official Records of the General Assembly, Thirty-seventh Session,  
Supplement No. 27 (A/37/27 and Corr.1).

(b) Letter dated 19 October 1982 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General, transmitting the texts of the resolutions adopted by the 69th Inter-Parliamentary Conference, held in Rome from 12 to 23 September 1982 (A/37/578).

## II. CONSIDERATION OF PROPOSALS

### A. Draft resolution A/C.1/37/L.8

5. On 27 October, Bulgaria, the German Democratic Republic, Mongolia and the Ukrainian Soviet Socialist Republic submitted a draft resolution (A/C.1/37/L.8), which was later also sponsored by the Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Hungary and Viet Nam. The draft resolution, which was introduced by the representative of Mongolia at the 38th meeting, on 19 November, read as follows:

"The General Assembly,

"Guided by the objectives of strengthening peace and international security,

"Expressing the general interest of all mankind in the further exploration and use of outer space for peaceful purposes for the benefit of all States and in the interests of developing friendly relations and mutual understanding among them,

"Recognizing the danger threatening mankind in the event of outer space becoming an arena for the arms race,

"Endeavouring to keep outer space from becoming an arena for the arms race and a source of tension in relations among States,

"Taking into account the draft Treaty on the prohibition of the stationing of weapons of any kind in outer space, submitted to the General Assembly by the Soviet Union, and also the views and considerations put forward in the course of the discussion of this question at the thirty-seventh session,

"Referring to its resolution 36/99 of 15 January 1982 on the conclusion of a treaty on the prohibition of the stationing of weapons of any kind in outer space,

"Noting the discussion at the session of the Committee on Disarmament held in 1982 on the question of the agenda item entitled 'Prevention of an arms race in outer space',

"Recalling that the States parties to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including

the Moon and Other Celestial Bodies, 2/ undertook in article III to carry out activities in the exploration and use of outer space, including the Moon and other celestial bodies, in accordance with international law, including the Charter of the United Nations, in the interests of maintaining peace and security and developing international co-operation and mutual understanding,

"Recalling paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly, 3/ in which it is stated 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 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,

"Stressing the need to prevent an arms race in outer space,

"Recognizing the threat that would be represented by the stationing in outer space of weapons of any kind, including anti-satellite systems, which would exert a destabilizing influence on international peace and security,

"Convinced of the need for further measures to keep outer space from being converted into an area of military confrontation contrary to the spirit of the 1967 Treaty on outer space, 2/

"Considering it imperative for the international community to give attention to concrete measures for the prevention of an arms race in outer space and, in this context, to the question of anti-satellite systems in the Committee on Disarmament,

"1. Requests the Committee on Disarmament to activate work on the preparation of an international agreement, including the establishment of an ad hoc working group, to begin discussions of substance, with a view to the adoption of effective measures to prevent the spread of an arms race in outer space;

"2. Calls upon the Union of Soviet Socialist Republics and the United States of America to renew bilateral talks on the question of anti-satellite systems;

"3. Decides to include in the provisional agenda of its thirty-eighth session an item entitled "Conclusion of a treaty on the prohibition of the stationing of weapons of any kind in outer space."

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2/ Resolution 2222 (XXI), annex.

3/ Resolution S-10/2.

6. At the 43rd meeting, on 24 November, the representative of Mongolia indicated that the sponsors would not press draft resolution A/C.1/37/L.8 to a vote, as its main elements and ideas had been reflected in draft resolution A/C.1/37/L.64/Rev.1.

B. Draft resolution A/C.1/37/L.64 and Rev.1

7. On 18 November, Algeria, Argentina, Bangladesh, Brazil, Cuba, Egypt, India, Indonesia, Mexico, Morocco, Nigeria, Peru, Sri Lanka, the Sudan, Viet Nam and Yugoslavia submitted a draft resolution entitled "Prevention of an arms race in outer space" (A/C.1/37/L.64), which was later also sponsored by Colombia, the Congo, Ecuador, Ghana, Maldives, Romania, Singapore and Venezuela. The draft resolution was introduced by the representative of Sri Lanka at the 38th meeting, on 19 November.

8. On 23 November, Algeria, Argentina, Bangladesh, Brazil, Colombia, the Congo, Cuba, Ecuador, Egypt, Ghana, India, Indonesia, Liberia, Maldives, Mexico, Morocco, Nigeria, Peru, Romania, Singapore, Sri Lanka, the Sudan, Venezuela, Viet Nam and Yugoslavia submitted a revised text of the draft resolution (A/C.1/37/L.64/Rev.1), which was later also sponsored by Benin, Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, the German Democratic Republic, Hungary, Ireland, Mongolia, Sweden and the Ukrainian Soviet Socialist Republic, and in which the following changes had been introduced:

(a) The third preambular paragraph, which read:

"Reaffirming that exploration and use of outer space, including the Moon and other celestial bodies, shall be exclusively for peaceful purposes and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind,"

was replaced by the following:

"Reaffirming that exploration and use of outer space, including the Moon and other celestial bodies, shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind,";

(b) A new preambular paragraph, which read:

"Reaffirming further the will of all States that exploration and use of outer space, including the Moon and other celestial bodies, shall be exclusively for peaceful purposes,"

was added after the third preambular paragraph;

(c) Operative paragraph 1, which read:

"Reaffirms that outer space shall be used exclusively for peaceful purposes and shall not become an arena for an arms race;"

was replaced by the following:

"Reaffirms the will of all States that outer space shall be used exclusively for peaceful purposes and that it shall not become an arena for an arms race;".

9. At its 45th meeting, on 26 November, the Committee adopted draft resolution A/C.1/37/L.64/Rev.1 by a recorded vote of 118 to 1, with 8 abstentions (see para. 10). The voting was as follows: 4/

In favour: Afghanistan, Algeria, Angola, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: United States of America.

Abstaining: Australia, Belgium, Canada, Israel, Luxembourg, Netherlands, Niger, United Kingdom of Great Britain and Northern Ireland.

### III. RECOMMENDATION OF THE FIRST COMMITTEE

10. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

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4/ The delegation of the Niger subsequently indicated that it had intended to vote in favour of the draft resolution.

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Prevention of an arms race in outer space

The General Assembly,

Inspired by the great prospects opening up before mankind as a result of a man's entry into outer space twenty-five years ago,

Recognizing the common interest of all mankind in the exploration and use of outer space for peaceful purposes,

Reaffirming that exploration and use of outer space, including the Moon and other celestial bodies, shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind,

Reaffirming further the will of all States that exploration and use of outer space, including the Moon and other celestial bodies, shall be exclusively for peaceful purposes,

Recalling that the States parties to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, 5/ undertook in article III to carry on activities in the exploration and use of outer space, including the Moon and other celestial bodies, in accordance with international law and the Charter of the United Nations, in the interest of maintaining international peace and security and promoting international co-operation and understanding,

Reaffirming, in particular, article IV of the said Treaty which stipulates that States parties to the Treaty undertake not to place in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, to install such weapons on celestial bodies, or to station such weapons in outer space in any other manner,

Reaffirming paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly, 6/ in which it is stated 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 Treaty,

Recalling its resolutions 36/97 C of 9 December 1981 and 36/99 of 9 December 1981,

Gravely concerned at the danger posed to all mankind by an arms race in outer space,

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5/ Resolution 2222 (XXI), annex.

6/ Resolution S-10/2.

Mindful of the widespread interest expressed by Member States in the course of the negotiations on and following the adoption of the above-mentioned Treaty to ensure that the exploration and use of outer space should be for peaceful purposes, and taking note of proposals submitted to the General Assembly at its tenth special session devoted to disarmament, and at its regular sessions and to the Committee on Disarmament,

Noting the grave concern expressed by the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space over the extension of an arms race into outer space and the recommendations made to the competent organs of the United Nations, in particular the General Assembly, and also to the Committee on Disarmament,

Convinced that further measures are needed for the prevention of an arms race in outer space,

Recognizing that, in the context of multilateral negotiations for preventing an arms race in outer space, the resumption of bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America can play a positive role,

Taking note of the report of the Committee on Disarmament, 7/

Noting that in the course of its session in 1982 the Committee on Disarmament considered this subject both at its formal and informal meetings as well as through informal consultations,

Aware of the various proposals submitted by Member States to the Committee on Disarmament, particularly concerning the establishment of a working group on outer space as well as the draft mandate,

Noting, in particular, the express wishes of the overwhelming majority of members of the Committee on Disarmament for the establishment, without delay, of a working group on outer space,

1. Reaffirms the will of all States that outer space shall be used exclusively for peaceful purposes and that it shall not become an arena for an arms race;

2. Declares that any use other than for exclusively peaceful purposes of outer space runs counter to the agreed objective of general and complete disarmament under effective international control;

3. Emphasizes that further effective measures to prevent an arms race in outer space should be adopted by the international community;

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7/ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 27 (A/37/27 and Corr.1)

4. Calls upon all States, in particular those with major space capabilities, to contribute actively to the objective of peaceful uses of outer space and to take immediate measures to prevent an arms race in outer space;

5. Requests the Committee on Disarmament to consider as a matter of priority the question of preventing an arms race in outer space;

6. Further requests the Committee on Disarmament to establish an ad hoc working group on the subject at the beginning of its session in 1983 with a view to undertaking negotiations for the conclusion of an agreement or agreements, as appropriate, to prevent an arms race in outer space in all its aspects;

7. Requests the Committee on Disarmament to report on its consideration of this subject to the General Assembly at its thirty-eighth session;

8. Requests the Secretary-General to transmit to the Committee on Disarmament all documents relating to the consideration of this subject by the General Assembly at its thirty-seventh session;

9. Decides to include in the provisional agenda of its thirty-eighth session an item entitled "Prevention of an arms race in outer space".

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