

CHAPTER 5

PREVENTION OF THE WEAPONIZATION OF AND AN ARMS RACE IN OUTER SPACE: AN URGENT TASK WITH NO TIME TO DELAY

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The prevention of the weaponization of and an arms race in outer space has attracted the attention of the world for decades. With the growing ability of mankind to explore and use outer space, the danger of the weaponization of outer space has become increasingly imminent.

As human civilization enters the twenty-first century, the development of science and technology has offered us an unprecedented opportunity to explore and use outer space. We have witnessed glorious achievements in the peaceful exploration and uses of outer space in recent years, such as the successful landings of the National Aeronautics and Space Administration Mars Exploration Rover “Spirit” and “Opportunity” on Mars, the European “Huygens” probe on Titan, as well as China’s historical success in its manned-spaceship programme. These triumphs have aroused mankind’s aspirations of exploring outer space; and many countries are responding by establishing their own long-term space exploration plans.

The peaceful uses of outer space have brought tremendous benefits to human development and social progress. More and more countries have gained the capability to explore and use outer space by purchasing or renting commercial satellites. According to recent statistics, countries worldwide have launched over 5,000 spacecraft, including about 600 satellites that are operating in different orbits in outer space. It is estimated that by 2010, there will be 2,000 satellites orbiting the Earth. By then, every aspect of human life will benefit from the exploration and use of outer space. The well-being of mankind will be more than ever closely linked with the peace and tranquillity of outer space.

Science and technology, however, is a double-edged sword. While it brings us benefits, it can also cause disaster. As we cheer for every success of peaceful exploration and use of outer space, we also hear the approaching bugling of war. Space military technology is advancing rapidly. New military and combat concepts and theories such as “control of space” and “occupation of space” are emerging. Research and development programmes of space weapons are being implemented. The danger of the weaponization of and an arms race in outer space is ever more imminent.

Once an arms race occurs in outer space, it would inflict awesome catastrophe on mankind. Being aware of this danger for some time, the international community is striving to conclude international legal instruments to regulate human activities in outer space. The United Nations General Assembly included the Prevention of an Arms Race in Outer Space (PAROS) on its agenda in the late 1950s and since then, thanks to the concerted efforts by all countries, several international treaties related to outer space have been concluded, including the Outer Space Treaty, the Moon Agreement, the Registration Convention, the Convention on International Liability for Damage Caused By Space Objects, and the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space. These treaties have contributed, to some extent, to the prevention of the weaponization of and an arms race in outer space.

However, with the rapid development of science and technology, and with the change of security concepts, these treaties are far from adequate to prevent the weaponization of and an arms race in outer space. There are four, if not more, loopholes within these treaties.

First, they cannot prevent testing, deployment and use of weapons other than those of mass destruction in outer space, especially in orbit around the Earth, other celestial bodies other than the Moon and outer space.

Second, they do not deal with such issues as the threat or use of force from the Earth (including from land, sea or air) against outer space objects.

Third, with the abolishment of the Anti-Ballistic Missile Treaty, the international legal system has been weakened and undermined. And fourth, some of the existing legal instruments lack universality. For example,

as of 1 January 2005, 11 states have ratified and an additional 5 have signed the Moon Agreement.

If we fail to take effective measures in coping with the danger of the weaponization of outer space to prevent the development and use of new destructive military technology and equipment before they emerge, history is likely to be repeated and new tragedies will occur, and our children will suffer heavily for our inaction. Therefore, what we need is action, not debate. The international community should immediately take effective measures to nip the danger in the bud.

The international community has gained broad common understanding in preventing the weaponization of and an arms race in outer space. It is the view of the majority of countries that outer space is the common heritage of humankind. Every year since 1981, the General Assembly has adopted, supported by an overwhelming majority, the resolution of PAROS. This reflects the political will of the international community.

The relevant General Assembly resolution of 1981 states that:

... the Conference on Disarmament (CD), as the single multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects.

Accordingly, the CD has included “the prevention of an arms race in outer space” on its agenda as a standing topic since 1982. For 10 consecutive years between 1984 and 1995, an ad hoc committee was created to discuss the non-weaponization of outer space. Regrettably, due to a lack of consensus on the programme of work, the CD has not yet started to negotiate an international legal instrument. Given the growing possibility of the weaponization of and an arms race in outer space, all parties concerned should intensify their efforts to move forward.

We are glad to see that, over the years, many countries, including China and the Russian Federation, have been devoted to the early negotiation and conclusion of an international legal instrument on the prevention of the weaponization of and an arms race in outer space. Other countries, intellectual communities and non-governmental organizations

have also put forward many proposals that are conducive to maintaining peace and security in outer space.

Our common desire is for peace and development. The emergence of nuclear weapons in the twentieth century has caused us to live in the shadow of nuclear warfare for decades. It is therefore my sincere hope that no effort should be spared to maintain a peaceful and safe outer space, so that our children will not live in another shadow of fear.