



Permanent Mission of Pakistan to the UN Geneva

Statement by Mr. Muhammad Omar, First Secretary, at Third Meeting of Subsidiary Body 3, Conference on Disarmament, Geneva 10 June 2022

Madam Coordinator,

Thank you for convening this meeting.

In line with your proposal, my remarks today shall focus on possible norms, principles and rules, including legally binding instruments to prevent an arms race in and weaponization of outer space. However, given the interconnected nature of the subject, a context of the threats to and from outer space would remain necessary.

Madam Coordinator,

Our discussions so far in this subsidiary body have elaborated the spectrum of outer space threats. My delegation and others have also drawn attention to the increasing role of this domain as an enabler of threats itself, including through pursuit of certain capabilities. On top of it, the continued integration of various platforms and technologies, terrestrial as well as space based, further complicates the threat scenarios linked to outer space.

Delegations have highlighted developments which undermine and contravene the spirit and principles of existing international law governing outer space. A significant majority of states have underscored that these growing risks, together with the well-known gaps in the international legal regime governing the use of outer space, make PAROS a more than ripe agenda item for immediate commencement of negotiations on a legally binding instrument at the CD.

Contemporising and further strengthening of the existing normative and legal architecture governing the security dimensions of outer space remains critical to preserve the peaceful nature of this “global commons”, which we believe is also in the interests of all states. The work of this subsidiary body is therefore all the more timely and relevant.

Madam Coordinator,

With this backdrop, let me turn to the topic of norms, rules and principles, including legally binding instruments.

The international rules and principles governing the use and exploration of outer space, including celestial bodies, are enshrined in the five core multilateral treaties governing the peaceful uses of outer space. The legal gaps in the existing international outer space regime are also well understood i.e. there is no explicit prohibition on placement of weapons other than WMDs.

As has been also pointed out by several delegations, soft measures such as TCBMs, codes of conduct and the like are voluntary and find their true place and relevance in the framework of a solid legal regime to which they are complementary. Legal gaps can only be plugged by concluding relevant legally binding instruments by the CD. Development of new norms and principles in and of themselves do not substitute for legally established rules and their codification into outer space law.

Moreover, we have yet to see the viability of evolving new norms of responsible behaviour in outer space, as asserted by some, when the international environment on planet earth is marked by acute trust and confidence deficits.

The reality is that even the existing international legal regime has seemingly been unable to infuse “responsible behaviour” in reducing space threats or preventing an arms race in and weaponization of outer space. This only raises further questions on the claimed value of developing new norms of “responsible behaviour”.

Our conversations so far also point to the necessity of avoiding the pitfall of focusing on peripheral issues alone at the cost of core questions surrounding security in outer space. There is an international consensus on PAROS. This body would do well to guard against exerting too much effort in duplicating conversations suited for other UN platforms looking at safety-oriented aspects of outer space.

Madam Coordinator,

Finally on the matter of legally binding instruments, our detailed consideration of the array and nature of threats to and from outer space points to a number of options, which are relevant and address the concerns expressed by delegations. I wish to list two such possible legal measures, within the larger ambit of PAROS.

First, a treaty negotiated at the CD prohibiting the placement of weapons other than WMDs in outer space.

Second, a treaty negotiated at the CD that outlaws the threat or use of force against outer space objects.

While we do recognize the complexities related to verification in certain scenarios or definitional issues arising from certain aspects, these are not insurmountable challenges, especially given the widely supported proposal within this subsidiary body and at the CD to establish a technical group of experts to

examine issues surrounding definitions, scope and verification in support of legal instruments to prevent weaponization of outer space.

In any eventuality, this dimension related to definitions and verification etc. in outer space would remain part and parcel of this unique domain even if we apply a behaviors-based lens alone.

Madam Coordinator,

Given the continued opposition of some to negotiate legal instruments on PARO, this subsidiary body should at least lay out a roadmap that answers the fundamental question of how to start PAROS negotiations. My delegation and indeed others have already provided elements which would be integral to such a blueprint.

It goes without saying that space security as an end in itself can hardly be ensured without credible and legally binding tools to guard outer space from increasing threats. Neither does it appear viable to solve outer space security in a piecemeal, selective or partial manner. A holistic approach to security in outer space remains the most practical option and has the added advantage to benefit all states.

My delegation wishes to once again draw attention to lessons of the past. Dismissing the imperative and urgency of legal instruments to prevent further weaponization in outer space should not obscure the past realities of nuclear arms race and growth in these arsenals.

Technological or military monopolies of the few do not last for too long. It is therefore both urgent and prudent to prevent weaponizing the outer space and the ensuing devastating peace, security and socio-economic consequences for states and societies. Further delay will be counter-productive.

We hope that all CD members would do their part in preserving the international consensus on PAROS and contribute in the development of effective legal measures to mitigate the full spectrum of space threats and risks emanating from a militarized, contested and congested outer space. Given that it is a global commons, the benefits of such outcomes would be in the interests of all.

I thank you, Madam Coordinator.
