

CONFERENCE ON DISARMAMENT

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LETTER DATED 12 FEBRUARY 2008 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION AND THE PERMANENT REPRESENTATIVE OF CHINA TO THE CONFERENCE ON DISARMAMENT ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE TRANSMITTING THE RUSSIAN AND CHINESE TEXTS OF THE DRAFT “TREATY ON PREVENTION OF THE PLACEMENT OF WEAPONS IN OUTER SPACE AND OF THE THREAT OR USE OF FORCE AGAINST OUTER SPACE OBJECTS (PPWT)” INTRODUCED BY THE RUSSIAN FEDERATION AND CHINA

We have the honour to transmit the Russian and the Chinese texts of the draft “Treaty on Prevention of the Placement of Weapons in Outer Space and of the Threat or Use of Force against Outer Space Objects” (PPWT) introduced by the Russian Federation and the People’s Republic of China.

We would be grateful if this letter and the attached draft of the PPWT could be issued and circulated as official documents of the Conference on Disarmament.

(Signed): Valery Loshchinin
Ambassador
Permanent Representative
of the Russian Federation to
the Conference on Disarmament

(Signed): Wang Qun
Ambassador for Disarmament Affairs
Head of Delegation of the
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Draft

**TREATY ON PREVENTION OF THE PLACEMENT OF WEAPONS IN
OUTER SPACE AND OF THE THREAT OR USE OF FORCE AGAINST
OUTER SPACE OBJECTS**

The States Parties to this Treaty,

Reaffirming that outer space is playing an ever-increasing role in the future development of mankind,

Emphasizing the right to explore and use outer space freely for peaceful purposes,

Interested in preventing outer space from becoming an arena for military confrontation and ensuring security in outer space and the undisturbed functioning of space objects,

Recognizing that prevention of the placement of weapons in outer space and of an arms race in outer space would avert a grave danger for international peace and security,

Desiring to keep outer space as a sphere where no weapon of any kind is placed,

Noting that the existing agreements on arms control and disarmament relevant to outer space, including bilateral agreements, and the existing legal regimes concerning the use of outer space play a positive role in exploration of outer space and in regulating outer space activities, and should be strictly complied with, although they are unable to effectively prevent the placement of weapons in outer space and an arms race in outer space,

Recalling the United Nations General Assembly resolution on “Prevention of an arms race in outer space”, in which, inter alia, the Assembly expressed conviction that further measures should be examined in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space,

Have agreed on the following:

Article I

For the purposes of this Treaty:

(a) The term “outer space” means the space above the Earth in excess of 100 km above sea level;

(b) The term “outer space object” means any device designed to function in outer space which is launched into an orbit around any celestial body, or located in orbit around any celestial body, or on any celestial body, except the Earth, or leaving orbit around any celestial body towards this celestial body, or moving from any celestial body towards another celestial body, or placed in outer space by any other means;

(c) The term “weapon in outer space” means any device placed in outer space, based on any physical principle, which has been specially produced or converted to destroy, damage or disrupt the normal functioning of objects in outer space, on the Earth or in the Earth’s atmosphere, or to eliminate a population or components of the biosphere which are important to human existence or inflict damage on them;

(d) A weapon shall be considered to have been “placed” in outer space if it orbits the Earth at least once, or follows a section of such an orbit before leaving this orbit, or is permanently located somewhere in outer space;

(e) The “use of force” or the “threat of force” mean any hostile actions against outer space objects including, inter alia, actions aimed at destroying them, damaging them, temporarily or permanently disrupting their normal functioning or deliberately changing their orbit parameters, or the threat of such actions.

Article II

The States Parties undertake not to place in orbit around the Earth any objects carrying any kinds of weapons, not to install such weapons on celestial bodies and not to place such weapons in outer space in any other manner; not to resort to the threat or use of force against outer space objects; and not to assist or induce other States, groups of States or international organizations to participate in activities prohibited by this Treaty.

Article III

Each State Party shall take all necessary measures to prevent any activity prohibited by this Treaty on its territory or in any other place under its jurisdiction or control.

Article IV

Nothing in this Treaty may be interpreted as impeding the exercise by the States Parties of their right to explore and use outer space for peaceful purposes in accordance with international law, including the Charter of the United Nations and the Outer Space Treaty.

Article V

Nothing in this Treaty may be interpreted as impeding the exercise by the States Parties of their right of self-defence in accordance with Article 51 of the Charter of the United Nations.

Article VI

With a view to promoting confidence in compliance with the provisions of the Treaty and ensuring transparency and confidence-building in outer space activities, the States Parties shall implement agreed confidence-building measures on a voluntary basis, unless agreed otherwise.

Measures to verify compliance with the Treaty may form the subject of an additional protocol.

Article VII

If a dispute arises between States Parties concerning the application or the interpretation of the provisions of this Treaty, the parties concerned shall first consult together with a view to settling the dispute by negotiation and cooperation.

If the parties concerned do not reach agreement after consultation, an interested State Party may refer the situation at issue to the executive organization of the Treaty, providing the relevant argumentation.

Each State Party shall undertake to cooperate in the settlement of the situation at issue with the executive organization of the Treaty.

Article VIII

To promote the implementation of the objectives and provisions of this Treaty, the States Parties shall establish the executive organization of the Treaty, which shall:

- (a) Accept for consideration communications from any State Party or group of States Parties relating to cases where there is reason to believe that a violation of this Treaty by any State Party is taking place;
- (b) Consider matters concerning compliance with the obligations entered into by States Parties;
- (c) Organize and conduct consultations with the States Parties with a view to resolving any situation that has arisen in connection with the violation of this Treaty by a State Party;
- (d) Take steps to put an end to the violation of this Treaty by any State Party.

The title, status, specific functions and forms of work of the executive organization of the Treaty shall be the subject of an additional protocol to this Treaty.

Article IX

International intergovernmental organizations may take part in the Treaty. Provisions setting out different options for, and the procedure for, their participation in the Treaty shall be the subject of an additional protocol to this Treaty.

Article X

Any State Party may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary, who shall promptly circulate it to all States Parties. Upon the request of at least a third of the States Parties, the Depositary shall convene a conference to which all States Parties shall be invited to consider the proposed amendment.

Any amendment to this Treaty shall be approved by a majority of the votes of the States Parties. The amendment shall enter into force for all the States Parties in accordance with the procedures governing the entry into force of this Treaty.

Article XI

The Treaty shall be of unlimited duration.

Each State Party shall, in the context of the exercise of its national sovereignty, have the right to withdraw from the Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized the supreme interests of its country. It shall notify the Depositary of the decision in writing six months in advance of its withdrawal from the Treaty.

Article XII

This Treaty shall be opened for signature by all States at United Nations Headquarters in New York. Any State which has not signed this Treaty before its entry into force may accede to it at any time.

This Treaty shall be subject to ratification by signatory States in accordance with their constitutional norms. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations, who is hereby designated the Depositary of this Treaty.

Article XIII

This Treaty shall enter into force upon the deposit of instruments of ratification by twenty States, including all the permanent members of the United Nations Security Council.

For States whose instruments of ratification or accession are deposited after the entry into force of the Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

Article XIV

This Treaty, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send duly certified copies thereof to all signatory and acceding States.
