Mr Chair,

I take the floor to explain New Zealand’s vote on resolution L18, entitled “No First Placement of Weapons in Outer Space”.

My Delegation has again abstained in the vote on this resolution. I would wish to make it clear, however, that a number of the paragraphs in this text (as in the resolution put forward at the two past sessions of this Committee) are supported by my Delegation. This is particularly the case with regard to those preambular paragraphs, notably PP1 and PP5, which draw on the language of the Outer Space Treaty of 1967 and the preceding 1962 Declaration of Legal Principles, but also as regards Operative Paragraph 1.

New Zealand continues strongly to support measures to prevent any arms race in outer space, including transparency and confidence-building measures (TCBMs), and in order to ensure its secure and sustainable preservation for peaceful uses. It seems to us that both voluntary as well as legally-binding measures can play a part in this and, accordingly, we are not opposed to an open and inclusive discussion to explore the benefits for the international community in moving forward
with a wider elaboration of the existing international legal regime governing outer space activities.

However we are not able to support the approach outlined in OP5 of L18 which gives encouragement to unilateral commitments – albeit of a very weak nature (“the possibility of upholding as appropriate...”) - not to be the first to place weapons in outer space. Such an approach would seem to sanction a subsequent (for instance, the second) such placement of weapons.

New Zealand has taken note of the assertion by the Russian Federation that the approach in OP5 represents an interim measure - pending the development of a more comprehensive legal regime - and of their suggestion that if there is no first placement, then there can be no second or third.

In the view of my Delegation this argument overlooks two pivotal points. First, we note that what the Russian Federation is proposing in OP5 is very clearly signalled as a political commitment. Having no legally-binding effect, a point reinforced by its lack of precision as to scope and definitions, it seems unlikely to provide any real reassurance as to the non-first placement of weapons in space (let alone any subsequent placement).

Our concern on this score is compounded by our awareness, Mr Chair, that it can indeed take a long time to develop a universal regime (this is something Russia has itself acknowledged in the context of discussions here on the proposal in L41 for a legal instrument to prohibit nuclear weapons) whether of a legal or a politically-binding character. Accordingly, in the context of L18, we could well be facing a very long period – if not forever -
when there would be nothing like *universal* agreement to Russia’s approach for a no-first placement of weapons in space yet we would, meantime, seem to have sanctioned the legality of a second or any other subsequent placement of such weapons.

Thank you, Mr Chair.