

CITY OF BURNABY
EXECUTIVE COMMITTEE OF COUNCIL

HIS WORSHIP, THE MAYOR
AND COUNCILLORS

RE: WORLD SPACE PRESERVATION TREATY

RECOMMENDATION:

1. THAT Council endorse the attached City of Victoria resolution (Appendix 2) supporting the World Space Preservation Treaty and so advise the City of Victoria.
2. THAT a copy of this report be forwarded to Elsie Dean, 5285 Empire Drive, Burnaby, B.C. V5B 1N1.

R E P O R T

Council, at the 'Open' Council Meeting held on 2004 February 16, received a presentation from Elsie Dean requesting that Council endorse the work of Stop War.ca and adopt a resolution in support of the World Space Preservation Treaty.

Arising from consideration of the delegation's presentation, Council referred Ms. Dean's comments to the Executive committee for review.

The Executive Committee, at its 'Open' meeting held on 2004 March 08, completed a review of the World Space Preservation Treaty (Appendix 1) and a City of Victoria resolution (Appendix 2) supporting the Treaty.

Arising from discussion the Executive Committee requested that Council endorse the City of Victoria resolution and so advise the City of Victoria.

Respectfully submitted,

Councillor N. Volkow,
Chair

CC: -CITY MANAGER
-DIRECTOR FINANCE

Councillor D.G. Evans,
Member

Councillor C. Redman,
Member

World Space Preservation Treaty

The States Parties to this Treaty

Reaffirming the importance and urgency of preventing an arms race in outer space and of approving concrete proposals on confidence building which could prevent such an arms race, as set out in United Nations General Assembly Resolutions 56/535 and 55/32 on the prevention of an arms race in outer space,

Recognizing the common interest of all humankind in the exploration and non-weapons use of outer space for peaceful purposes,

Reaffirming the will of all States that the exploration and use of outer space, including the Moon, the planets and other celestial bodies, shall be for weapons-free, 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,

Reaffirming the provisions of articles III and IV 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, Resolution 2222(XXI), annex,

Recalling the obligations of all States to observe the provisions of the Charter of the United Nations regarding the use or threat of use of force in their international relations, including in their space activities,

Reaffirming paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly, Resolution S-10/2, in which it was stated that in order to prevent an arms race in space further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty,

Reiterating that the Conference on Disarmament, 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, as set out in United Nations General Assembly Resolutions 56/535 and 55/32 on the prevention of an arms race in outer space,

Affirming that it is the policy of the State Parties to this Treaty to permanently ban all space-based weapons,

Have agreed as follows:

Article I

PERMANENT BAN ON BASING OF WEAPONS IN SPACE

1. Each State Party to this Treaty shall:

(1) Implement a ban on space-based weapons; and

(2) Implement a ban on the use of weapons to destroy or damage objects in space that are in orbit; and

(3) Immediately order the permanent termination of research and development, testing, manufacturing, production, and deployment of all space-based weapons of such State Party.

2. Each State Party to this Treaty shall immediately work toward supporting other non-signatory State Parties in negotiating, signing, ratifying, and implementing this world agreement banning space-based weapons.

3. The Secretary General of the United Nations shall submit to the General Assembly of the United Nations within 90 days of the date that three (3) State Parties have signed this Treaty, and every 90 days thereafter, a report on:

(1) The implementation of the permanent ban on space-based weapons required by Section 1 of this Article I; and

(2) Progress toward negotiating, signing, ratifying, and implementing this Treaty as set out in Section 2 of this Article I.

4. Nothing in this Treaty shall be construed to prohibit the following activities, provided such activities are not related to space-based weapons:

(1) Space exploration;

(2) Space research and development;

(3) Testing, manufacturing or deployment that is not related to space-based weapons or systems; or

(4) Civil, commercial, or defense activities (including communications, navigation, surveillance, reconnaissance, early warning, or remote sensing) that are not related to space-based weapons or systems.

Article II

1. Each State Party to this Treaty undertakes not to base in space any object carrying nuclear weapons or any other kinds of weapons, including weapons of mass destruction, install such space-based objects or weapons on celestial bodies, or station such weapons in outer space in any other manner. The moon, the planets, and other celestial bodies shall be used by all States Parties to this Treaty exclusively for non-weapons, peaceful purposes. The establishment of weapons-related military bases, installations and fortifications, the testing of any type of weapons and the conduct of military maneuvers on celestial bodies or space-based objects shall be forbidden.

2. The use of military personnel for scientific research or for any other non-space-based weapons, peaceful purposes shall not be prohibited. The use of any equipment or facility necessary for peaceful exploration or habitation of the moon, the planets or other celestial bodies, or on objects in space shall also not be prohibited.

Article III

Each State Party to this Treaty undertakes not to assist, encourage or induce any State, group of States, international organization, or other entity or program to engage in activities contrary to the provisions of this Treaty.

Article IV

Each State Party to this Treaty agrees to the establishment, funding, equipping and deployment of an outer space peacekeeping agency, whose mission is to monitor outer space and enforce the permanent ban of space-based weapons under this Treaty.

Article V

As used in Article I, the terms:

1. The terms "space" and "outer space" mean all space extending upward from an altitude greater than 110 kilometers above sea level.
2. The terms "space-based weapon" and "space-based system" mean a device capable of damaging or destroying an object or person (whether in outer space, in the atmosphere, or on earth) by:
 - (1) Firing one or more projectiles to collide with that object or person;
 - (2) Detonating one or more explosive devices in close proximity to that object or person;
 - (3) Directing a source or energy against that object or person; or
 - (4) Any other undeveloped means.

Article VI

Each State Party to this Treaty undertakes to take any measures it considers necessary in accordance with its constitutional processes to prohibit and prevent any activity in violation of the provisions of the Treaty anywhere under its jurisdiction or control.

Article VII

1. The provisions of articles I and II of this Treaty shall apply to all States, regardless of whether such States are signatories to this Treaty.
2. Any State Party to this Treaty may propose amendments to the Treaty. The text of any proposed amendment shall be submitted to the Depositary who shall promptly circulate it to all States Parties.
3. An amendment shall enter into force for all States Parties to this Treaty, upon the deposit with the Depositary of instruments of acceptance by a majority of States Parties. Thereafter it shall enter into force for any remaining State Party on the date of deposit of its instrument of acceptance.

Article VIII

This Treaty shall be of unlimited duration.

Article IX

1. Two years after the entry into force of this Treaty, a conference of the States Parties to the Treaty shall be convened by the Depositary at Geneva, Switzerland. The conference shall review the operation of the Treaty with a view to ensuring that its purposes and provisions are being realized, and shall in particular examine the effectiveness of the provisions of articles I and II in eliminating the

dangers of an arms race in space, and of space-based weapons.

2. At intervals of not less than two years thereafter, a majority of the States Parties to the Treaty may obtain, by submitting a proposal to this effect to the Depositary, the convening of a conference with the same objectives.

3. If no conference has been convened pursuant to paragraph 2 of this article within ten years following the conclusion of a previous conference, the Depositary shall solicit the views of all States Parties to the Treaty, concerning the convening of such a conference. If one-third or ten of the States Parties, whichever number is less, respond affirmatively, the Depositary shall take immediate steps to convene the conference.

Article X

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

3. This Treaty shall enter into force upon the deposit of instruments of ratification by twenty Governments in accordance with paragraph 2 of this article.

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

5. The Depositary shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession and the date of the entry into force of this Treaty and of any amendments thereto, as well as of the receipt of other notices.

6. This Treaty shall be registered by the Depositary in accordance with Article 102 of the Charter of the United Nations.

Article XI

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

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective governments, have signed this Treaty, opened for signature at _____ on the ____ day of _____, two thousand and two.

DONE at _____ on _____, _____, 2002.

OFFICIAL TEXT OF THE VICTORIA, B.C. CITY COUNCIL
WORLD SPACE PRESERVATION TREATY RESOLUTION

World Space Preservation Treaty

It was moved by Councillor Madoff, seconded by Councillor Fleming, that:

Whereas, the termination of the Anti-Ballistic Missile (ABM) Treaty on June 13, 2002, permits research, development, testing, manufacturing, production and deployment of space-based weapons, thereby promoting an arms race in space;

And Whereas, the Space Preservation Treaty will establish a permanent ban on all space-based weapons, on the use of weapons to destroy or damage objects in space that are in orbit; and the permanent termination of research and development, testing, manufacturing, production and deployment of all space-based weapons;

And Whereas, the Space Preservation Treaty will establish an outer space peacekeeping agency to monitor outer space and enforce the permanent ban of space-based weapons;

And Whereas, the Space Preservation Treaty permits space exploration, space research and development, testing, manufacturing or deployment that is not related to space-based weapons or systems, including civil, commercial, or defense activities such as communications, navigation, surveillance, reconnaissance, early warning, or remote sensing;

And Whereas, the Space Preservation Treaty facilitates investment in clean, safe and sustainable technology, products and services to support expanded, cooperative, non-weapons space ventures and the consequent stimulation of the national and world economy;

And Whereas, the Space Preservation Treaty preserves the peaceful, cooperative uses of space for all residents of Victoria and prevents harmful health and safety impacts on residents from space-based weapons testing.

THEREFORE BE IT RESOLVED:

1. That Victoria City Council urge the Prime Minister of Canada to sign the Space Preservation Treaty and have the House of Commons of Canada ratify it; and
2. That the Victoria City Council urge the Government of Canada to convene a Treaty-signing Conference for the Space Preservation Treaty, as Canada did in the treaty-signing conference in December 1997, where 122 countries signed the Convention Banning Land Mines, known as the Ottawa Convention; and
3. This Resolution of Victoria City Council be sent to the President and Executive of the Federation of Canadian Municipalities for information.

Carried June 26, 2003