

54TH IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
Recent Developments in Space Law (5)

Author: Mr. Stefan A. Kaiser
Germany, stefanakaiser@aol.com

THE NEW START TREATY AS A CONFIDENCE BUILDING MEASURE FOR THE PEACEFUL
USES OF OUTER SPACE

Abstract

The new Strategic Arms Reduction Treaty (START) between Russia and the United States is a milestone for the reduction of nuclear weapons. It was ratified on 26 January 2011 by the Russian Federation Council and in December 2010 by the U.S. It follows the expired START 1 Treaty and establishes a ceiling of 1,550 nuclear warheads on readily deployed carrier systems for both signatories. It is also a turning point of U.S. foreign policy following the Bush era.

The paper will shortly discuss the historic background of bilateral strategic arms reduction treaties between the U.S. and Russia, the major elements of the new START Treaty and the amendments to the resolutions of its instruments of ratification.

The focal point of the paper will be the impact of the New START Treaty, as a confidence building measure, on the peaceful uses of outer space. For that purpose, the relationship between confidence building measures, state practice, customary law and treaty law will be analysed. The impact of the Treaty on the Prevention of an Arms Race in Outer Space (PAROS), a long standing agenda item of the UN Conference of Disarmament, and its relevance for Anti Ballistic Missile (ABM) systems will also be considered.