



European Union

Statement

**Open Ended Working Group on reducing space threats through norms, rules and principles of responsible behaviours
Geneva, 30 January – 3 February 2023**

Mr. Chair,

I have the honour to speak on behalf of the European Union.

The candidate countries North Macedonia, Montenegro and Bosnia and Herzegovina¹ and the potential candidate country Georgia align themselves with this statement.

We would like to congratulate you and your team for your excellent work in continuing to steer this open-ended working group. We also appreciate your efforts in preparing the Chair's summary and Elements paper. We look forward to further substantive discussions this week and we would like to assure you of our continued full support and cooperation.

The EU and its Member States fully supported the establishment of the Open Ended Working Group on reducing space threats as a pragmatic step in a cooperative and comprehensive process that helps to build a common understanding of what can be considered responsible and irresponsible behaviours. The EU and its Member States reiterate that the process must be inclusive and consider a multi-stakeholder approach, encouraging the attendance of other international organisations, commercial actors and civil society representatives, as vitally important and fully in accordance with established practice.

The EU has made several joint contributions, and several EU Member States have submitted national or cross-regional working papers. We welcome the active engagement demonstrated during this process, which shows the commitment of United Nations Member States and relevant organisations to address the issue of reducing space threats through norms, rules and principles of responsible behaviours.

Mr. Chair,

Outer space is an area where security challenges have increased in recent years, risking not only the sustainability of the space environment, but also the safe and secure operations of space activities and access to services on which the global community rely, and it therefore merits our full attention. The rapid growth of human activity, coupled with the increased diversity of space operators makes it increasingly necessary to further develop international norms and standards, guidelines, best practices, principles of responsible behaviour and transparency and confidence-building measures related to human activity in space, while ensuring compliance with existing international law.

¹ North Macedonia, Montenegro and Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.

International law, in particular the United Nations Charter, the UN Treaties on Outer Space and International Humanitarian Law is applicable to outer space. The Outer Space Treaty as well as the guiding principles developed in the UN framework constitute the basis of the global governance in outer space. Any norm of responsible behaviour should be consistent with and complement them as they constitute the essential framework for the peaceful exploration and use of outer space for the benefit of all nations.

The EU and its Member States are actively engaged in promoting the preservation of a safe, secure and sustainable space environment and the peaceful use of outer space on an equitable and mutually acceptable basis for all, for present and future generations. We are strongly committed to the prevention of an arms race in outer space, which is essential for strengthening international security and stability and for safeguarding the free exploration and long-term use of the space environment for peaceful purposes.

We are of the view that further practical steps can be taken to enable risk reduction, prevent conflict from occurring in outer space and prevent an arms race in outer space. Such efforts are important given the ambiguity regarding the question of what constitutes a weapon in space. It is essential to build confidence between space actors, decrease the perception of threats, and avoid any escalation that could lead to catastrophic consequences, including for space operators and civilians.

Historically, legally binding instruments on outer space have drawn on previous non-legally binding commitments, through the adoption of different resolutions in the UN framework. The EU and its Member States do not exclude the possibility of new legally binding instruments in the future, but believe that, given the dual-use nature of many space systems, an approach based on behaviours, supported by relevant monitoring capabilities, is the most pragmatic and immediate way forward to improve space security today. This will help to reduce the risks of misunderstanding, misinterpretation and miscalculation, and help to decrease the risk of conflicts and escalation in outer space. We therefore believe that establishing norms, rules and principles of responsible behaviours in outer space is indispensable.

Moreover, legal regimes governing other domains, such as maritime, cyberspace, telecommunication, norms of behaviour constitute good examples, and different best practices and lessons learned which could be taken into consideration for the work on responsible behaviours in outer space.

This behavioural approach should supplement the relevant traditional disarmament and arms control tools to further strengthen the existing normative framework. We strongly believe that global principles of responsible behaviour will contribute to ~~further~~ increased² international cooperation in space, commit to mutual non-interference in the peaceful exploration and use of outer space, facilitate an equitable access to outer space and increase transparency and confidence in the conduct of space activities. Consideration of irresponsible behaviours should take into account the consequences on safety, sustainability and security in outer space as well as the impacts that they could have for international peace, security and stability, including for space operators and civilians.

In this regard, the EU and its Member States fully supported the UNGA Resolution 77/41 and we welcome the commitments made so far by several UN Member States not to conduct

² EEAS

destructive direct-ascent anti-satellite missile tests. We consider such commitments as a pragmatic, concrete and measurable step forward for strengthening international security and stability.

Mr. Chair,

Trust and confidence are at the centre of any security-building process. Thus, we are convinced that fostering mutual trust and strengthening transparency between States is key to enhance space security and to avoid a conflict in outer space. The EU and its Member States consider that publishing and sharing information about space doctrines, policies and strategies is a responsible behaviour and would help create confidence between different actors. Sharing information on space launch vehicle programs, including prelaunch notifications, is already established practice under the Hague Code of Conduct (HCoC). The EU and its Member States encourage all States to subscribe to the HCoC and to fully implement its provisions. Such measures will help reduce the risks of misperception, miscalculation, and unwanted conflict escalation. Other types of transparency and confidence-building measures, such as those contained in the report of the 2013 GGE on TCBMs, are still relevant and could also serve as a basis for further work. We look forward to discussing them this week.

Mr. Chair,

As firm believers in multilateralism with the United Nations at its core, we strongly believe that now is urgent and in the interest of all States to pragmatically and immediately improve space security and to act swiftly in order to agree on a global, common and multilateral solution through greater coordination and cooperation, with the involvement of all UN Member States and relevant organisations.

In relation to our work in this session, the EU and its Member States see great merit in the development of norms against the deliberate creation of space multiple debris, and norms to address in-orbit rendez-vous operations, as well as those to address activities that impair the provision of space-based services critical to the public and severely affect or even harm civilians. Proximity orbital operations that affect another State's space system carry significant risks of misunderstandings and should also be further discussed. Against this background, information and communication about the intentions of such operations are essential to avoid misunderstandings and misperceptions. We also think that possible norms could be discussed on operations having an impact on the security of peoples and goods.

We reiterate our commitment to further contribute to the work of the Open-Ended Working Group by submitting, after this session and prior to the next session of this Working Group, a joint EU contribution on the themes that will be discussed during this week and which will include reflections on the way ahead.

In conclusion, the continuation of the Russian war of aggression against Ukraine obliges the EU to reiterate its condemnation in the strongest possible terms of this act. We are fully committed to the rules-based international order and the principles of international law which do not only apply on earth, but also in outer space. The EU expresses full solidarity with Ukraine and the Ukrainian people and remains strongly committed to the fight against impunity for atrocities.

Thank you, Mr. Chair.