



Ministry of Foreign Affairs
and International Cooperation

Open-ended working group on reducing space threats through norms, rules and principles of responsible behaviours

Fourth session (Geneva, 28 August – 1 September 2023)

Statement delivered by H.E. Ambassador Leonardo Bencini, Permanent Representative of Italy to the Conference on Disarmament

Mr. Chair,

At the outset, let me congratulate you on your skillful and patient work in steering us to this last session of the Open Ended Working Group. We look forward to further substantive discussions and the approval of the report by the end of this week.

Italy fully aligns itself with the statement delivered by the EU and that delivered by the Philippines on behalf of a cross-regional group of States which shows the high degree of convergence we have reached within this working group.

We fully believe that the OEWG has already provided a valuable contribution to our common goal of preventing an arms race in outer space. We regard security in space as a multi-sectoral and global issue that requires the engagement of not just UN Member States but also of international organisations, commercial actors and civil society. This is why we appreciate the OEWG's inclusive and multi-stakeholder approach. This has allowed inclusive and cross-cutting dialogue and made a useful contribution to our common goal of achieving a common understanding of how best to act to reduce threats to space systems, in order to maintain outer space as a peaceful, secure, stable and sustainable environment, free from an arms race and conflict, for the benefit of all.

Mr. Chair,

We welcome your draft report and are convinced that it represents a solid basis for the work ahead of us. Please allow me to highlight some key points that are important to us.

As we said many times, to address the complexity of space risks and threats, one must first protect the integrity of the existing legal framework. It is therefore important that the report

reaffirms the applicability of international law, including the UN Charter and international humanitarian law, to the exploration and use of outer space. The report should recognize the importance of the United Nations treaties on Outer Space and reaffirm that all principles enshrined in the 1967 Outer Space Treaty are applicable. The widest possible adherence to existing international instruments on the peaceful exploration and use of outer space must be promoted.

The report should also reflect the extensive and useful discussions we had on current and future threats by States to space systems, and actions, activities and omissions that could be considered irresponsible.

We attach great importance to some issues that we consider particularly urgent, such as the persistent development or testing of anti-satellite (ASAT) missiles. Such activities are of great concern because they create long-lasting debris clouds, compromising the security of outer space activities. Italy has committed not to conduct destructive direct-ascent anti-satellite missile tests following the adoption in New York in December 2022 of UN General Assembly Resolution 77/41. This decision is part of Italy's strong commitment to ensuring security in outer space.

Mr. Chair,

We also believe that the report should make recommendations on possible norms, rules and principles of responsible behaviours relating to threats by States to space systems. We take note of the views expressed by some delegations that these norms cannot be a substitute for a legally binding instrument on PAROS. We are aware that positions diverge on whether or not we need a legally binding instrument. Yet, notwithstanding these differences, the report should properly reflect the key relevance of continuing to work on the development of these norms to increase security in outer space.

Norms, rules and principles of responsible behaviours can indeed complement the existing legal framework governing space activities. In addition – as has often been the case in the history of conventional international law – they can serve as non-binding tools for the gradual evolution of international law. They can in fact be an important intermediate step in maximising the chances of a successful outcome of future negotiations for a binding treaty.

We are also convinced that the report should reflect the importance of Transparency and Confidence Building Measures (TCBMs). We fully believe that a crucial step towards achieving greater security in outer space is represented by the effective implementation of Transparency and Confidence-Building Measures (TCBMs), including those identified by the Group of Governmental Experts in 2013, endorsed by the UN General Assembly. In this

regard, we consider that the report should contain a specific reference to the Hague Code of Conduct against Ballistic Missile Proliferation (HCoC).

Mr. Chair,

We deeply value the substantive work conducted so far and we consider that the OEWG has played an important role in finding converging views on reducing space threats through norms, rules and principles of responsible behaviours. We would like the report to emphasize the effectiveness and usefulness of the cooperative and comprehensive approach undertaken within the OEWG.

Rest assured of my delegation's full support and cooperation throughout this week. We are ready to work with you and other delegations in a constructive way for a consensual outcome.

Thank you.