



PHILIPPINES

Third Session of the Open-Ended Working Group on Reducing Space Threats through Norms, Rules and Principles of Responsible Behaviors

3 February 2023

Exchange of views on the outcome of the third session and outlook towards the fourth session

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Mister Chair,

My delegation thank you for your excellent stewardship of our work, including your skillful and professional handling of procedural hurdles we had to overcome at the beginning of this session. We also thank all constructive delegations for their substantive contributions, both through statements and working papers.

Our deliberations this week demonstrate growing convergence towards the development of rules, norms, and principles of responsible behavior that could constitute the substantive conclusions and recommendations of this Group. We are pleased to see consensus on the following:

1. The applicability of international law in outer space, including customary international law and the United Nations Charter. There is unanimous agreement that the prohibition on the use of force applies fully to outer space, and that there is no gap in this legal obligation, but there might be gaps in the context of its practical expression in outer space, which could be filled by further measures.
2. The issue of space debris is a pertinent security concern, and there is a need to mitigate its proliferation. Several working papers built on this consensus by promoting the moratorium on debris-creating direct-ascent anti-satellite tests and all the other activities that create debris.

3. Manned space activities and critical space-based systems and services must be protected at all times. Several working papers likewise built on this consensus by proposing concrete recommendations against harmful interference with these space-based systems and critical services.
4. International cooperation, information exchanges, and measures for transparency and confidence building are crucial. We have heard that legally binding provisions on international cooperation are limited by the caveat that such cooperation is to be pursued “*to the greatest extent feasible and practicable*.” This gap can be filled by the development of norms of responsible behavior that expand the feasibility and practicability of international cooperation, including through mechanisms for consultations and information and notification exchange, among others.
5. The issue of debris arising from rocket launches and uncontrolled re-entry is a crucial security concern, especially for developing countries with limited capability. There is a need for this concern to be alleviated through transparency and confidence-building measures that build upon existing legal and normative frameworks, including politically binding instruments such as the Hague Code of Conduct on Ballistic Missile Proliferation.
6. The legally binding duty of due regard is a foundational principle that should guide the activities of all states in the context of outer space.

In addition to these emerging points of consensus, we are encouraged by greater clarity with regard to the applicability of International Humanitarian Law. We are delighted to hear that concerns relate merely to the practical implications of affirming its applicability rather than the factual, objective, and universally recognized conclusion that International Humanitarian Law applies whenever there is armed conflict. We are confident that such concerns could be addressed in a balanced manner, under your able leadership.

We look forward to cooperating constructively with all delegations to support you as you guide our work towards the preparation of the report of this Group.

I thank you, Mister Chair.