

Italy

Italy was among the first countries to purchase unarmed Predator drones from the United States, acquiring six in 2001. This initial purchase was followed by an additional six MQ-9 Reapers in 2006, all of which are stationed at the Amendola Air Base at the disposal of the 28th Group (called Streghe) of the Italian Armed Forces. Italy has deployed its drones for ISTAR (Intelligence, Surveillance, Targeting, Acquisition and Reconnaissance) purposes in Iraq, Afghanistan, Libya, Djibouti, Somalia, Kosovo, Syria, the Mediterranean and Italy itself.¹ The Italian Ministry of Defense budgetary planning of 2021 revealed plans to arm the Reaper drones. However, these funding plans still need to be discussed in and approved by the Italian parliament.²

Ever since the US government has allowed Italy to arm its drones in 2015, years went by where this question was surrounded by ambiguity.³ The 2021 budgetary planning of the Ministry of Defense however, detailed a planned spending of €59 million is scheduled over the next seven years to arm Italy's Reaper drones. It is not clear what type of weapons are foreseen to be integrated in the MQ-9's; the budget only outlines the intention to equip them with 'new electronic warfare equipment' and probably 'standard munition.'⁴

Italy is part of the Eurodrone project with Germany, France and Spain, brought into life to compete against Israeli- and US-made Unmanned Aerial Vehicles (UAVs). As of January 2022, the project has green light to develop 20 Medium-Altitude and Long-Endurance (MALE) drones. The Italian company Leonardo is expected to build parts of the European military drone. Italy is also part of the nEUROn combat drone project and the 'drone users' club.⁵

Since February 2016, the Italian government has allowed the US Africa Command (AFRICOM) to use the Italian air base Sigonella and let (armed) drones take off from the base, the Main

¹ Italy was the first European country to also use its unarmed UAVs in the domestic sphere, for example by monitoring demonstrations in Italian cities or social distancing during the coronavirus pandemic. Tom Kington, "Italian Reaper Drones To Be Used For Crowd Monitoring," *DefenseNews*, accessed on 14 March 2022 at [Italian Reaper Drones To Be Used for Crowd Monitoring \(defensenews.com\)](#); Matthew Holryod, "Coronavirus: Italy approves use of drones to monitor social distancing," *Euronews*, accessed on 16 March 2022 at [Coronavirus: Italy approves use of drones to monitor social distancing | Euronews](#); Srdjan Cvijic, Lisa Klingenberg and Delina Goxho, 'Italy: Armed Drones to Reinforce The Transatlantic Alliance,' in *Armed Drones in Europe* (Open Society Foundations, November 2019), pp. 51-53, retrieved from [armed-drones-in-europe-20191104.pdf \(opensocietyfoundations.org\)](#); Andrea Shalal, "U.S. government approves Italy's request to arm its drones," *Reuters*, accessed 8 March 2022 at [U.S. government approves Italy's request to arm its drones | Reuters](#)

² Tom Kington, "Italy funds arming of its Reaper drones," *DefenseNews*, accessed 8 March 2022 at [Italy funds arming of its Reaper drones \(defensenews.com\)](#)

³ Jessica Dorsey and Nilza Amaral, 'Military drones in Europe: Ensuring transparency and accountability,' (*Chatham House*, April 2021), pp. 9, retrieved from [2021-04-30-military-drones-europe-dorsey-amaral \(chathamhouse.org\)](#)

⁴ Kington, "Italy funds arming of its Reaper drones," retrieved from [Italy funds arming of its Reaper drones \(defensenews.com\)](#); Vincenzo Sinapi, "Anche l'Italia armerà i suoi droni," *ANSAit*, accessed 8 March 2021 at [Anche l'Italia armerà i suoi droni - Cronaca - ANSA](#).

⁵ The nEUROn project is a French-led initiative of 2003 which aims to provide Europe a combat drone demonstrator, in which Italy, Sweden, Spain, Greece and Switzerland participate. The 'drone users club', composed by France, Germany, Italy, Greece, the Netherlands and Poland, aims to share information on and to examine possibilities to collaborate in the development of MALE drones. Dassault Aviation, "Introduction," accessed 11 March 2022 at <https://www.dassault-aviation.com/en/defense/neuron/introduction/>; Dorsey and Amaral, 'Military drones in Europe,' pp. 12, retrieved from [2021-04-30-military-drones-europe-dorsey-amaral \(chathamhouse.org\)](#); Jessica Dorsey and Christophe Paulussen, "Towards a European Position on Armed Drones and Targeted Killings: Surveying EU Counterterrorism Perspectives," *The International Centre for Counter-Terrorism – The Hague* 6, no.3(2015), pp. 28-29, accessed at [Towards a European Position on Armed Drones and Targeted Killing: Surveying EU Counter-Terrorism Perspectives - ICCT](#); Reuters, "Europe launches Airbus-led military drone programme," accessed 11 March 2022 at [Europe launches Airbus-led military drone programme | Reuters](#); Reuters, "Italy's Leonardo to make parts of new European military drone," accessed 11 March 2022 at [Italy's Leonardo to make parts of new European military drone | Reuters](#)

Operating Base for NATO's Alliance Ground Surveillance (AGS) located in Sicily, to mount defensive operations in North-Africa and the Sahel, for example against ISIS and al-Qaeda in Libya.⁶ So far, several civil organizations have pursued litigation actions but there has been little public opposition against the assistance of Italy in US drone operations.⁷

Articulate Clear Policies

Italy developed a conditional policy regarding the Sigonella air base, also known as the 'Mediterranean hub', in which it claims to only assist US 'defense missions and not offensive action'.⁸ Matteo Renzi (former Prime Minister of Italy) stated that "Italy would authorize, on a case-by-case basis, the use of armed drones for defense purposes."⁹ Further information about this disclaimer is not available. Currently, the Technical Arrangement of 2006, a bilateral agreement solely released by the US, is the only publicly available document on Sigonella. The Italian government has not made any statements concerning the legal implications of US armed drones taking off from Sigonella, for example around their possible use in targeted killings outside areas of armed conflict.¹⁰ Italy's promise to only authorize defensive missions should be translated into clear policy, which clearly defines what is meant by defensive and offensive missions and which upholds international law, especially human rights law.

Equally important is the formulation of a clear policy on the use of Italy's own drones. Italy bought US drones to "support NATO and coalition operations, increase operational flexibility and better protect deployed Italian forces."¹¹ Arming the Reaper is only possible through US generated software, for which Italy has been granted US permission in 2015.¹² This made Italy the second European country, after the U.K., to receive this permission.¹³ The Italian Ministry of Defense revealed plans to fund the armament of its Reapers in the 2021 Multiannual Planning Document with a budgetary spending of at least €59 million. This project has yet to be approved by the Italian parliament.¹⁴ A clear and detailed policy on how Italy's use of armed drones is in full compliance

⁶ Stephanie Kirchgaessner, "Italy to allow US drones to fly out of Sicily air base for attacks on Isis," *The Guardian*, accessed on 14 March 2022 at [Italy to allow US drones to fly out of Sicily air base for attacks on Isis | US military | The Guardian](#); North Atlantic Treaty Organization, "Alliance Ground Surveillance (AGS)," accessed on 11 March 2022 at [NATO - Topic: Alliance Ground Surveillance \(AGS\)](#); European Center for Constitutional and Human Rights, "Italy's responsibility in deadly US drone strikes in Libya," accessed on 4 April 2022 at [ECCHR: Pressemitteilung](#); Nick Turse, "U.S. Airstrike Killed 11 Libyan Civilians and Allies, Human Rights Groups Say," *The Intercept*, accessed on 4 April 2022 at [U.S. Airstrike Killed 11 Libyan Civilians and Allies, Human Rights Groups Say \(theintercept.com\)](#)

⁷ Cvijic, Klingenberg and Goxho, 'Italy: Armed Drones to Reinforce The Transatlantic Alliance,' pp. 51, retrieved from [armed-drones-in-europe-20191104.pdf \(opensocietyfoundations.org\)](#)

⁸ Ibid., pp. 51-53; Oriana Pawlyk, "As Libya mission intensifies, Italy OKs U.S. to fly armed drone missions," *DefenseNews*, accessed on 8 March 2022 at [As Libya mission intensifies, Italy OKs U.S. to fly armed drone missions \(defensenews.com\)](#)

⁹ Cvijic, Klingenberg and Goxho, 'Italy: Armed Drones to Reinforce The Transatlantic Alliance,' pp. 53, retrieved from [armed-drones-in-europe-20191104.pdf \(opensocietyfoundations.org\)](#)

¹⁰ Ibid.; Philip Di Salvo, "Le guerre segrete dei droni," *Esquire*, accessed on 8 March 2022 at [Le guerre segrete dei droni \(esquire.com\)](#)

¹¹ Shalal, "U.S. government approves," retrieved from [U.S. government approves Italy's request to arm its drones | Reuters](#)

¹² Istituto di Ricerche Internazionali Archivio Disarmo, "Military Drones: Proliferation or Control?," Rome, April 2017, pp.7, retrieved from [5139.pdf \(disarmo.org\)](#); Cvijic, Klingenberg and Goxho, 'Italy: Armed Drones to Reinforce The Transatlantic Alliance,' pp. 57, retrieved from [armed-drones-in-europe-20191104.pdf \(opensocietyfoundations.org\)](#)

¹³ Shalal, "U.S. government approves," retrieved from [U.S. government approves Italy's request to arm its drones | Reuters](#)

¹⁴ Kington, "Italy funds arming of its Reaper drones," accessed 8 March 2022 at [Italy funds arming of its Reaper drones \(defensenews.com\)](#); Luca Peruzzi, "Italy's Defence Multi-Year Planning Document 2021-2023," *European Security & Defence*,

with international law is however lacking. The Ministry of Defense's funding plans increases the need of such a policy, which must be articulated and published. Furthermore, the current Italian defense doctrine does not consider drones as a separate weapon. Instead, drones are assigned to the aircraft category.¹⁵ Acknowledging the typical features of drones and the differences between drone operations and other types of missions, the Italian government should formulate policy that regards drones as a distinct type of weapon.

Prevent Complicity

As the Main Operating Base for NATO's AGS, Sigonella Air Base is set to play an important role in the drone warfare network, comparable to that of the German Ramstein Air Base. The Technical Arrangement of 2006 states that the Sigonella installation falls under the command of the Italian authority whereas the "U.S. Commander has full military command over U.S. personnel, equipment and operations."¹⁶ In the absence of a clearly defined Italian policy on US drone missions from Sigonella, Italy risks being complicit in wrongful drone strikes as US 'defense missions' have led to unlawful targeted killings on multiple occasions.¹⁷ Through its operational support to US drone operations in Libya, Italy shares responsibility for any International Humanitarian Law (IHL) or human rights violations arising from US lethal drone strikes facilitated through the Sigonella airbase.¹⁸ The International Law Commission's Draft Articles on Responsibility of States for Internationally Wrongful Acts (DASR) dictates that a state is responsible for assisting in or facilitating a wrongful act (in other words, IHL or human rights violations) by another state if it does so with knowledge of the circumstances of this act and if the act would also be wrong when the assisting state carried it out itself.¹⁹ International human rights bodies like the Human Rights Committee and the European Court of Human Rights also uphold responsibility for a state that contributes to extraterritorial human rights violations.²⁰ Ultimately, this means that Italy has an obligation under international law to

accessed on 14 March 2022 at [Italy's Defence Multi-Year Planning Document 2021-2023 - European Security & Defence \(euro-sd.com\)](https://euro-sd.com)

¹⁵ Istituto di Ricerche Internazionali Archivio Disarmo, "Military Drones: Proliferation or Control?," pp.7, retrieved from [5139.pdf \(disarmo.org\)](https://www.disarmo.org/5139.pdf)

¹⁶ Department of State, "Technical Arrangement between the Ministry of Defense of the Italian Republic and the Department of Defense of the United States of America Regarding The Installations/Infrastructure In Use By The U.S. Forces In Sigonella, Italy," *Office of Treaty Affairs* (Rome, 6 April 2006), section VI and annex 5. Retrieved from [06-406-Italy-Defense-Infrastructure.pdf \(state.gov\)](https://www.state.gov/66-406-Italy-Defense-Infrastructure.pdf); S. Svijic and L. Klingenberg, "Armed Drones Policy in the EU," in *Litigating Drone Strikes: Challenging the Global Network of Remote Killing* (European Center for Constitutional and Human Rights, 2017), pp. 42, available at [ECCHR: Litigating Drone Strikes: Challenging the Global Network of Remote Killing](https://www.ecchr.eu/litigation/docs/ECCCHR_Litigating_Drone_Strikes_Challenging_the_Global_Network_of_Remote_Killing.pdf)

¹⁷ Svijic and Klingenberg, "Armed Drones Policy in the EU," pp. 41-43; Jennifer Gibson, "The US's Covert Drone War and the Search for Answers: Turning to European Courts for Accountability," in *Litigating Drone Strikes: Challenging the Global Network of Remote Killing* (European Center for Constitutional and Human Rights, 2017), pp. 102-103.

¹⁸ Richtsje Kurpershoek, Alejandra Muñoz Valdez and Wim Zwijnenburg, "Remote Horizons: Expanding use and proliferation of military drones in Africa," (*PAX*, February 2021), pp. 38, retrieved from [Remote Horizons - Peace Organization PAX \(paxforpeace.nl\)](https://www.paxforpeace.nl/remotehorizons)

¹⁹ United Nations, International Law Commission, Draft Articles on Responsibility of States for Internationally Wrongful Acts, with commentaries on Article 16, commentary 1 and 3, retrieved from [Responsibility of States for Internationally Wrongful Acts \(2001\) \(un.org\)](https://www.un.org/law/ilc/articles/)

²⁰ See: Human Rights Committee, *Munaf v. Romania*, Communication No. 1539/2006, 13 July 2009, para. 14.2, recalling that a state party "may be responsible for extra-territorial violations of the Covenant, if it is a link in the causal chain that would make possible violations in another jurisdiction"; and the *El-Masri* case, where the European Court of Human Rights ruled

request information on how their assistance is used in practice in order to be able to assess the risk of IHL or human rights violations by US drone operations taking off from Sigonella.

Ensure Transparency

The February 2016 agreement on the deployment of armed drones from the Sigonella base for defensive missions in Libya has not been clearly communicated to the public. Italy claims it made an agreement with the US that it will deploy US armed drones exclusively for self-defense purposes. According to the Italian Coalition for Civil Liberties and Rights (CILD) there has been a ‘complete lack of transparency’ on the content of this agreement.²¹ The deal between the US and Italy has not been made public and it is also not known if and what kind of authorizations have been given by the Italian government to fly defense missions with the UAVs from Sigonella.²² The European Center for Constitutional and Human Rights (ECCHR), the CILD and the Italian Peace and Disarmament Network (Rete Italiana Pace e Disarmo) have attempted to access information on the legal framework regulating the presence and use of US drones at and from Sigonella by filing requests under Italy’s Freedom of Information Act.²³ After the Ministry of Defense refused to disclose any documents regarding Sigonella, ECCHR filed a judicial complaint in July 2017 at the Regional Administrative Tribunal (TAR) in Rome. After many delays, the case has been reassumed before the TAR as of 16 March 2022. At the time of writing, the Tribunal has yet to come to a decision.²⁴

The lack of transparency regarding Italy’s drone practices may play a role in the limited public opposition to Italy’s involvement in US drone operations. News reports on the Italian government ‘quietly allowing’ the US to deploy its armed drones, and the first Italian victim of US drone attacks, Giovanni Lo Porto, did not resonate with the Italian public.²⁵ Furthermore, the Italian public is known for being relatively opposed to sending troops abroad and foreign military engagement.²⁶ In addition, Italians seem to be poorly informed about whether Italy even possesses drones, let alone about its drone practices.²⁷ The Italian government must take its responsibility and ensure transparency, especially in light of announced funding plans for the arming of its Reaper drones.

Establish Accountability

While the US commander of the Sigonella base has full command over US personnel, equipment and operations, the Sigonella base falls under the authority of the Italian state. The US commander is

that Macedonia had violated the Convention by facilitating human rights violations carried out by the CIA in and outside its territory. European Court of Human Rights, *El Masri v. former Yugoslav Republic of Macedonia*, Application no. 39630/09, 13 December 2012, paras. 198 and 239.

²¹ Italian Coalition for Civil Liberties and Rights, “Milan, 25 September: a conference on armed drones in Italy and Europe,” accessed on 11 March 2022 at [Milan, 25 September: a conference on armed drones in Italy and Europe - cild.eu | en](https://www.cild.eu/en/milan-25-september-a-conference-on-armed-drones-in-italy-and-europe)

²² Di Salvo, “Le guerre segrete dei droni,” accessed on 8 March 2022 at [Le guerre segrete dei droni \(esquire.com\)](https://www.esquire.com/le-guerre-segrete-dei-droni)

²³ European Center for Constitutional and Human Rights, “Sicily air base: Italy’s involvement in US drone program,” accessed on 8 March 2022 at [ECCHR: Sicily air base: Italy’s involvement in US drone program](https://www.ecchr.eu/en/sicily-air-base-italys-involvement-in-us-drone-program)

²⁴ Ibid.

²⁵ Cora Currier, “One Year On, No Justice For Italian Hostage Killed In U.S. Drone Strike,” *The Intercept*, accessed on 11 March 2022 at [No Justice for Giovanni Lo Porto, Italian Killed by U.S. Drone \(theintercept.com\)](https://theintercept.com/one-year-on-no-justice-for-italian-hostage-killed-in-u.s.-drone-strike/)

²⁶ Cvijic, Klingenberg and Goxho, ‘Italy: Armed Drones to Reinforce The Transatlantic Alliance,’ pp. 61-62, retrieved from [armed-drones-in-europe-20191104.pdf \(opensocietyfoundations.org\)](https://www.opensocietyfoundations.org/publications/armed-drones-in-europe-20191104.pdf)

²⁷ Ibid., pp. 51.

obliged under the 2006 Arrangement to inform the Italian authorities of ‘all significant U.S. activities, with specific reference to the operational [...] activity, to the movements of [...] weapons [...] and to any events/incidents that should occur.’²⁸ Understanding ‘significant’ as opposed to routine²⁹, this would include the deployment of the armed drone fleet.³⁰ The Italian authorities should approach this obligation proactively and insist that the US commander informs the Italian authorities of these activities. As confirmed by former Prime Minister, Mateo Renzi, the Arrangement implies that Italy is supposed to approve US armed drone operations on a case-by-case basis.³¹ Analysts argue that this makes the Italian state legally responsible for drone operations taking off from Sigonella.³² An example of an US defense mission from Sigonella taking a wrong turn, is the US airstrike in Libya in 2018. While the AFRICOM press release spoke about al-Qaeda terrorists, The Intercept and Italy’s Avvenire revealed that the strike had killed 11 civilians.³³ On 31 March 2022, ECCHR, Reprieve and Rete Italiana Pace e Disarmo, together with victims’ families, filed a criminal complaint with the Office of the Prosecutor at the Tribunal of Siracusa against the Italian commander of Sigonella, alleging that the Italian commander must have known about and approved the operation, and can therefore be criminally responsible as an accomplice for having allowed the unlawful lethal attack.³⁴ In light of the foregoing, it is of utmost importance that the Italian government legally justifies US operations from its soil, even when they are ‘defensive’ in nature.³⁵

The Italian government should also make sure that accountability mechanisms are put in place in case its Reapers do indeed become armed. As of today, the armament funding plans still need to be approved by the Italian parliament, after which the project is scheduled to take at least seven years.³⁶ However, due to a lack of policy on the matter, it is not clear what accountability mechanisms exist for any violations of international law that may arise from potential armed drone missions undertaken in the future.

Control Proliferation

Italy has signed the Joint Declaration for the Export and Subsequent Use of Armed or Strike-Enabled Unmanned Aerial Vehicles on October 28th, 2016. The aim of this document is to ‘increase transparency measures’ and ‘ensure responsible export and use’ considering the rapid

²⁸ Department of State, “Technical Arrangement,” section VI, commentary 3, retrieved from [06-406-Italy-Defense-Infrastructure.pdf \(state.gov\)](#)

²⁹ Ibid., annex 5.

³⁰ Diego Mauri, “Drones in Sigonella: What Value Does The Italian-American Agreement Have (And What Impact Will It Produce)?,” *SIDIBlog*, accessed on 14 March 2022 at [Drones in Sigonella: what value does the Italian-American agreement have \(and what impact will it produce\)? | SIDIBlog](#)

³¹ Svijic and Klingenberg, “Armed Drones Policy in the EU,” pp. 42, available at [ECCHR: Litigating Drone Strikes: Challenging the Global Network of Remote Killing](#)

³² Ibid.; Mauri, “Drones in Sigonella,” retrieved from [Drones in Sigonella: what value does the Italian-American agreement have \(and what impact will it produce\)? | SIDIBlog](#).

³³ Turse, “U.S. Airstrike Killed 11 Libyan Civilians,” retrieved from [U.S. Airstrike Killed 11 Libyan Civilians and Allies, Human Rights Groups Say \(theintercept.com\)](#); U.S. Africa Command Public Affairs, “U.S. Conducts Precision Airstrike in Libya,” *United States Africa Command*, accessed on 4 April 2022 at [United States Africa Command \(africom.mil\)](#)

³⁴ ECCHR, “Italy’s responsibility in deadly,” retrieved from [ECCHR: Pressemitteilung](#)

³⁵ Mauri, “Drones in Sigonella,” retrieved from [Drones in Sigonella: what value does the Italian-American agreement have \(and what impact will it produce\)? | SIDIBlog](#); Svijic and Klingenberg, “Armed Drones Policy in the EU,” pp. 42, available at [ECCHR: Litigating Drone Strikes: Challenging the Global Network of Remote Killing](#)

³⁶ Kington, “Italy funds arming of its Reaper drones,” accessed 8 March 2022 at [Italy funds arming of its Reaper drones \(defensenews.com\)](#); Peruzzi, “Italy’s Defence Multi-Year Planning,” accessed on 14 March 2022 at [Italy’s Defence Multi-Year Planning Document 2021-2023 - European Security & Defence \(euro-sd.com\)](#)

advancements in UAV technology.³⁷ By signing this declaration, Italy has agreed to the regulation on the production, export and use of armed and strike-capable drones. Nonetheless, the Declaration remains ambiguous, as the terminology used is unclear and it is not specified how international and human rights law is interpreted and applied, nor is the Declaration legally or politically binding.³⁸

As a reaction to raised concerns about the involvement of Italian weapons in the killing of Yemeni civilians in the civil war in Yemen, the export of Italian aerial bombs and missiles to Saudi Arabia and the United Arab Emirates was suspended in July 2019.³⁹ These restrictions have however been loosened in July 2021.⁴⁰

Existing definitions in arms export control regimes are blurring due to the rapidly developing field of UAVs. Drone platforms and payloads keep changing, raising challenges for export control mechanisms to remain up to date. Ultimately, new developments in the field of armed drones could fall outside of such mechanisms. This is even further problematized due to the dual-use nature of UAVs, meaning that civilian drones can easily be transformed into military drones. Preventing both the misuse of armed drones and their diversion to undesired users requires the regulation of armed drones export in line with international legal frameworks.⁴¹

³⁷ U.S. Department of State, "Joint Declaration for the Export and Subsequent Use of Armed or Strike-Enabled Unmanned Aerial Vehicles (UAVs)," accessed on 14 March 2022 at [Joint Declaration for the Export and Subsequent Use of Armed or Strike-Enabled Unmanned Aerial Vehicles \(UAVs\) \(state.gov\)](#)

³⁸ Jessica Dorsey and Giulia Bonacquisti, "Towards an EU common position on the use of armed drones," *European Parliament* (2017), pp. 17-18, accessed on 14 March 2022 at [Toward and EU common position on the use of armed drones \(europa.eu\)](#); Aaron Mehta, "White House Rolls Out Armed Drone Declaration," *DefenseNews* (October 5, 2016), accessed on 14 March 2022 at [White House Rolls Out Armed Drone Declaration \(defensenews.com\)](#)

³⁹ European Center for Constitutional and Human Rights, "Italian arms export to Yemen: State and corporate responsibility," accessed on 28 March 2022 at [ECCHR: Italian arms exports to Yemen: State and corporate responsibility](#); Areeb Ullah, "Italy blocks arms exports to Saudi Arabia and UAE," accessed on 28 March 2022 at [Italy blocks arms exports to Saudi Arabia and UAE | Middle East Eye](#).

⁴⁰ Angelo Amante, "Italy eases curbs on arms sale to Saudi Arabia and UAE," *Reuters*, accessed on 28 March 2022 at [Italy eases curbs on arms sales to Saudi Arabia and UAE | Reuters](#)

⁴¹ Dorsey and Bonacquisti, "Towards an EU common position," pp. 31-32, retrieved from [Toward and EU common position on the use of armed drones \(europa.eu\)](#)