

Legal Issues Related to Space Exploration (13)

Present and future regulation of space exploration and exploitation: general issues (1)

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A GOVERNANCE SCHEME FOR SPACE EXPLORATION

Abstract

Space exploration satisfies humankind's desire to investigate the unknown. Not only does it offer significant entrepreneurial opportunities by creating a demand for new technologies, it is also a political and legal endeavour. Space exploration is a driver for innovation, technological development, and scientific knowledge, which can bring about tangible and intangible benefits for citizens. To reap these benefits resulting from investments in space exploration at global level, a well-defined governance scheme is indispensable. Space exploration requires a sustainable institutional structure and legal framework to assure tomorrow's investments and to embody both cooperation and competitive aspects.

The overall objective of this paper is to discuss the various options for a potential governance scheme for space exploration by focussing on two issues which are discussed in detail and from various perspectives. Firstly, a comparative analysis of other governance models in neighbouring domains will be conducted. Part of this in-depth analysis will assess how international cooperation, the role of national agencies and the involvement of the private sector are organised. The partnerships between the actors shall be analysed with the purpose to see whether a similar structure can be applied to the governance scheme on space exploration. Examining the institutional structures in analogous industries provides important insight into how such an international space exploration governance scheme might look. Secondly, it addresses the question whether an existing UN-affiliated organisation could be the responsible body for strategic decision-making and guidance in the field of space exploration at global level through the extension of its mandate, or whether the establishment of a Global Exploration Agency is a feasible way to guarantee improved coordination among its members and higher efficiency. In this context, an additional question is whether the establishment of a Global Exploration Agency at this point in time would be premature, and whether current efforts should rather be directed towards fashioning structures that could serve as a solid building block for a permanent global exploration institution. Finally, the paper will conclude by sketching a possible way forward for an international space exploration governance scheme.