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THE ITU'S EVOLVING REGULATORY ROLE FOR SPACE DEBRIS 'RULES OF THE ROAD':
IMPLICATIONS FOR SPACE COMMUNICATIONS REGULATION

Abstract

The International Telecommunication Union (ITU) is the UN specialized agency that already possesses a limited degree of regulatory and enforcement authority for certain classes of objects that could be described as "space debris." It would therefore appear to be consistent with the theoretical logic of task delegation to simply expand the ITU's present jurisdiction to include other orbital regions. This paper utilizes principal-agent theory to examine the factors influencing the ITU's member countries to consider an expanded ITU role for space debris management and the implications for space communications regulation.

Space debris and cyber-conflict pose issues that directly challenge long-standing International Telecommunication Union (ITU) jurisdictional competencies and inter-governmental relationships. As a consequence, the ITU is facing rapidly evolving requirements for outer space and cyberspace governance, factors acting to shift the ITU's mission which may require legal authorizations promulgated through periodic revisions to the organization's international legal instruments. This paper utilizes a principal-agent theoretical framework to illuminate factors re-shaping the ITU's organizational structures as well as the ITU's evolution as a UN specialized agency in an increasingly cyber-conflicted international system and the implications of these factors for space communications regulation.