IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
IISL Young Scholars session and Dr. Jasentuliyana Keynote lecture by a leading space law expert (1)

Author: Ms. Viva Dadwal
Canada

Ms. Madeleine Macdonald
Canada

ARBITRATION OF SPACE-RELATED DISPUTES: CASE TRENDS AND ANALYSES

Abstract

To advance understanding of how arbitration may contribute to the resolution of space-related disputes, this research catalogues and analyzes all publicly-reported space-related disputes that to date have been resolved through international arbitration, as well as any court decisions on space-related arbitrations from around the world. More specifically, this compendium of arbitral awards and court decisions will provide trends and analyses on the: (i) type and subject-matter of space-related disputes submitted to international arbitration, as organized by industry and topics; (ii) kinds of disputants currently employing international arbitration, as organized by type and size of actors; (iii) applicable laws used in international arbitration; (iv) preferred seats; and (v) arbitral institutions administering the dispute. Cataloguing and analyzing space-related disputes that have already been resolved through international arbitration will offer important insights and understandings on current industry practices and complement existing research on the use of arbitration clauses by companies providing space-related products and services. These trends and analyses may be used by scholars, policymakers, and legal practitioners, to assist in the resolution of any future space-related disputes, and assess the successes and failures of the current dispute-resolution infrastructure for resolving space-related disputes. To our knowledge, there exist no consolidated catalogues for publicly-reported space-related disputes that have been resolved through international arbitration.