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# IMPLEMENTING OSTROM'S NOBEL WINNING STUDY TO INTERNATIONAL COOPERATION IN SPACE ACTIVITIES

**Abstract**

The 2009 Nobel Prize in Economic Sciences Laureate, Elinor Ostrom, refuted Hardin's classic "tragedy of the commons" and found strong empirical proof, in lab and in the field, across countries and sectors, favoring polycentric governance of complex economic systems. Ostrom's life project was the research of diverse institutional arrangements for governing common-pool resources (CPRs) and public goods. The overwhelming outcome was that decentralized local institutions perform better and that the core goal of public policy should be to facilitate the development of such institutions, rather than impose rules. As the Nobel committee noted, "[Ostrom's] observations are important not only to the study of natural resource management, but also to the study of human cooperation more generally". Ostrom's research is in the micro level of persons, and it can be implemented to the micro level of states. The international society has no central government, hence Ostrom's research is good news and encouragement and facilitation of diverse polycentric institutions may be the best way to promote international cooperation. Another important lesson of Ostrom is that large-scale cooperation can be amassed gradually from bellow, which may lead to models of multiple bilateral, multilateral and regional space cooperation schemes en-route global-scale cooperation. International cooperation is a basic principle in space law ever since the first UN Resolution on the space exploration and it is stressed in practically every treaty and UN Resolution or Declaration on space issues. Clusters of international cooperation exist and thrive, but a full scale global cooperation did not emerge. COPUOS' treaty making phase ceased in 1979; the soft law been made ever since is too fluid; and calls for an international space agency have not been answered. Implementing Ostrom's findings to international cooperation in space activities suggests a model for promoting the basic norm of international cooperation not by a strong, central, global institution, nor by rules imposed from above, but rather by facilitating and encouraging clusters of cooperation which will together encompass the vast majority of countries. This polycentric model will create the basis for a larger scale cooperation on the global level. Examples of such clusters are ESA, APSCO, ISS and many bilateral agreements. The overlapping and crossing of cooperation schemes is not a threat but an advantage, creating an expanding net and paving the way to meta-clusters. Ostrom's research also draws the necessary conditions for success, and these should be integrated into the Corpus Juris Spatialis.