

57th IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
Joint IAF/IISL Session on the Legal Framework for Cooperative Space Activities (7-B3.8)

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SPACE COOPERATION ARRANGEMENTS FROM THE PERSPECTIVE OF “NON-TRADITIONAL PARTNERS”

Abstract

By 2013, no fewer than 22 new countries expressed interest to begin to invest in space programs in the near future, increasing the total number of aspirant and established space nations to beyond 80. The rationale for investment for these aspirant players are similar to those of their established counterparts: to increase political standing, for national development and optimization of a “natural” resource.

International cooperation between governments remains a method for nations to gain access to space benefits and such cooperation is usually established through agreements. With this increasing engagement in space activity, it is arguable that the sectoral barriers to space including technology transfer limitations and protectionism have not prevented access to the benefits of space in the majority of cases, among allies. With increasingly flexible funding mechanisms including export credit financing and bartering, market based know-how technology transfer training programs and open government initiatives making space data openly and in some cases freely available, access to space and space solutions for peaceful purposes appears fair. However, the implementation of agreements between established players and “non-traditional partners” is rarely assessed in terms of actual outcome and differences in cooperating conditions from traditional partners, which may mask some of the barriers that still remain despite the increasingly cooperative environment.

Frameworks for evaluating international cooperation have been proposed, however the current frameworks of analysis are inadequate because they do not consider the perspectives of emerging space nations who may have a different criteria for engaging in cooperation than the established players that current analysis focuses on, particularly as often times they have less bargaining power in collaborative ventures. Focusing on space cooperation agreements between the US government and a sample of “non-traditional partners” from Africa, Latin America and Asia, this paper assesses the US legal framework for space cooperation (through publicly available space cooperation treaties) against a criteria that focuses on requirements of cooperation from the perspective of emerging space nations and asks the following questions: firstly, compared to traditional partners, are there implementing agreements beyond initial framework agreements and have there been stated gains for the non traditional partner for the development of their program? Secondly, what limitations and conditions have been placed on the non-traditional partner that are not placed on traditional partners? Thirdly, what are the differences in arrangements between non-traditional partners? The analysis uncovers some of the hidden barriers in cooperation from the perspective of non-traditional partners.