

59th IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
Joint IAF-IISL Session on the Legal Framework for Collaborative Space Activities (7-B3.8)

Author: Mr. Alexander Soucek
European Space Agency (ESA), France

Dr. Holger Krag
European Space Agency (ESA), Germany

THE INTER-AGENCY SPACE DEBRIS COORDINATION COMMITTEE: A COLLABORATIVE
EFFORT AND ITS EFFECTS ON NORM-MAKING

Abstract

Since its gradual formation and formalization in the early 1990s, the Inter-Agency Space Debris Coordination Committee (IADC) has evolved into an eminent technical coordination forum for space agencies and a respected actor with regard to the elaboration and recommendation of technical guidelines for space debris mitigation. Although not vested with legal personality, the IADC assumes two roles which are central to international collaboration: it facilitates coordination through a recognized *modus operandi* and it issues technical recommendations based on consensus reached among its members. The most noteworthy and momentous of these recommendations are the IADC Space Debris Mitigation Guidelines of 2002, which remain the nucleus of a series of successive instruments on space debris mitigation including high-level debris mitigation guidelines endorsed by the UN General Assembly in 2007.

The IADC can be counted among a series of inter-agency and inter-governmental forums concentrating on specific technical aspects of spaceflight. Different from the processes and methods of law-making, space actors cooperating through such forums tackle a given problem from empirical and analytical angles and based on exclusively technical competences and mandates. The work of the IADC in space debris mitigation is exemplary as it not only laid down the technical and scientific basis for appreciating the problem of orbital debris, but also elaborated technical and operational rules of behavior, voluntary in character, to mitigate it. Characteristically, these rules are concrete and substantiated enough to allow for their direct translation into space mission requirements. They are distinct in purpose and content from legal norms and yet may interact with the latter.

This paper explains the IADC from the perspective of public international law and examines the implications and effects of its work for the development of space law in particular. In doing so, the paper eludes on the role of space agency collaboration in norm-making and analyses the structural conditions for and the implications of regulation through technical recommendation. Finally, the paper examines the effects that coordination bodies like the IADC can have in mitigating regulatory fragmentation at domestic level.