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RISK MANAGEMENT, EXPORT CONTROL AND DUAL-USE SATELLITES

Abstract

On the one hand there is a need to reach and to maintain high levels of reliability, and on the other hand the impossibility to fix space technical systems when they are in operation.

The paper will address contractual issues of dual-use satellites and the risk management in this matter. In fact, in order to face high levels of risk, space companies and space agencies have developed a rigorous knowledge codification and tend to reproduce routines the phase of project planning and in the context of firm relationships. Reproduction of validated routines is a relevant tool to mitigate risk and to manufacture reliable technical systems. The term routine means the place where organisations store their operational knowledge. In consequence, organisations may be expected to behave in the future according to the routines they have employed in the past. Reaching high levels of reliability is the first step of ex-ante risk mitigation ; the second step is to maintain these high levels as long as possible.

In addition, the paper will highlight the export control of dual-use items. In this sense, the European Commission has recently proposed to modernise and strengthen controls on exports of dual-use items that may be misused for severe human rights violations, terrorist acts or the development of weapons of mass destruction. The proposal aims to upgrade the EU's export control system to deal with new challenges and generate the modern control capabilities the European Union needs for the coming decade and beyond. The proposal aims to strike a balance between security and trade so as to ensure a high level of security and adequate transparency without impeding competitiveness and legitimate trade in dual-use items.

The paper will emphasize the fact that it exists several insurance solutions for large space and satellite projects. The main problems of space project insurance arise during the pre-launch, the launch and in orbit. Moreover, agencies and companies have to manage risks related to the export control and technology transfer.