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INTERNATIONAL COOPERATION IN SPACE ACTIVITIES IN EUROPE, THE ARIANE 6
PROJECT EXAMPLE

Abstract

On the 2nd of December 2014, the ESA ministerial conference decided on the development of a new Launch System for Europe : Ariane 6. In order to ensure an independent European capability to access Outer Space the ESA Member States agreed on the end of the Ariane5 Programme and expressed their will of a new launcher (Ariane 6) to remain competitive on the launch market. This high level decision has raised multiple issues. One of the most important one concerns the relations and roles between all actors involved in the launch sector in Europe for this new project, to ensure the success of the launch services on the commercial and the institutional markets. In other words, the main question to be answered is the legal framework of such an important cooperation in space activities. The Ariane 6 project is a precursory programme for the European Space Agency in terms of a new procurement approach with industry. In fact, in order to make the industry responsible for the proper achievements of the project, ESA and its Member States decided to financially involve industry. This objective required a new distribution of the responsibilities. In the development of the Ariane 6 Launch System, which includes the development of the Launcher System including the delivery of a flight model for the Maiden Flight, and the development of the Launch Base, ESA will have the major role of Procurement Entity and of ensuring the coordination of the interfaces between the Launch System and the Launch Base. Even though the development contracts for the Ariane 6 projects have been signed in August 2015, many questions on the share of responsibilities are not clear for the development phase. This is even more true for the exploitation phase for which the distribution of roles are uncertain. This Paper aims to address the responsibilities of the main actors of this project in development and in exploitation.