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SMALL SATELLITES IN SUPPORT OF THE OUTER SPACE TREATY AND HUMAN RIGHTS
PROTECTION IN EMERGING COUNTRIES

Abstract

The Outer Space Treaty states in Article 1 that outer space is the province of mankind, to be used for the benefit of all humankind. While the scope of, or in fact the nature of an obligation that could be derived out of article one has been the object of many, often controversial, discussions, there is a general understanding that space based applications can aid in a number of ways, especially with regard to developing countries which often lack critical infrastructure. Looking at the world today, it seems that almost every day the news are filled with reports of disasters and images of refugees fleeing war or starvation. Especially developing countries are frequently affected by such setbacks, often lacking critical infrastructure to cope with those situations. Satellite Data can provide much needed relief and has already been used numerous times in legal proceedings to support judges in finding a fair judgment. Satellite data has been used by the international court of justice to determine the evolution of a border river in its judgment on the status of the Kaskili/Sedudu Islands, thereby solving a lasting territorial dispute. Furthermore, Satellite data can be used to prove economic impacts, as shown in the "Certain Activities Carried out by Nicaragua in the Border Area" Case. The use of Satellite imagery as evidence was also crucial in the "Oil Platforms" case, as it provided prove that Iran was using offshore oil platforms as missile sites to carry out attacks against neutral ships during the Iran-Iraq war. Recently, Satellite Data has been used to prove the violation of human rights - for example to demonstrate the demolition of housings in Zimbabwe. Finally, satellite data may also provide evidence of war crimes. Based on the pre-attack and post-attack satellite images, the damage to the MGS Haskanita military base in northern Dafur and thereby the unlawful attack against peacekeepers of the African Union could be verified. Small satellites can prove to be a viable solution for developing countries, as their low mass and seize (below 500 kg) helps to reduce the economic cost for launch vehicles and the costs associated with construction - thereby turning them into an affordable solution to create much needed telecommunication infrastructure and obtain critical satellite data for developing countries to improve security, development, stability, justice and peace.