

IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)  
Dispute Settlement in Space Law: Are We Ready for the Commercial Challenge? (2)

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DISPUTE SETTLEMENT: A RADICAL NEW SOLUTION

**Abstract**

If existing Conflict Resolution strategies are continued, the conflicts inherent in the “Westphalian System of Sovereign States” will be perpetuated into the Commons of Outer Space. The purpose of this paper is to identify an optimized methodology for settling disputes in the extraterrestrial regime of Outer Space. A simple model for Conflict Resolution based upon the principles of Scientific Justice identified in the “Hierarchy of Justice” (Class A) is presented. A model of Conflict Evasion is also provided to identify the alternate outcomes produced by such a suboptimal strategy. The unique methodology utilized throughout this paper is adapted from the practices of Systems Science, Social Science, and Mechanism Design Theory (convergence modeling). Real and fictitious Agents (legal fictions), such as Sovereign States and Corporations, are included in the analysis. A model is presented that encodes the ideal universal organizational form for legitimate Outer Space activities by fictitious Agents. The new models presented in this paper provide the optimal solution for peacefully resolving Conflicts in the Outer Space regime.