

IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
Space Law in a Networked World (7)

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BACK TO THE FUTURE: SPACE LAW IN A NETWORKED WORLD

Abstract

Space technologies and their ever growing and innovative practical applications are changing the way humanity functions. The trend towards transformational change and the ‘democratisation’ of space is expected to extensively penetrate into our everyday lives, because of developments such as the routine and affordable access to space (reusable transportation systems); the extensive use of new technologies (5G); the merger of numerous technologies and public and private operations; the realization of the internet of things; increasing reliance on artificial intelligence; autonomous or robotic space operations; the push for continuing miniaturisation (from smallsats to femtosats); and the emergence of new national and foreign players. These space activities are being, and will be, undertaken by numerous domestic and international operators, which would range from owners of a single satellite to corporations operating large constellations of satellites. These activities, while potentially offering unprecedented opportunities to humanity in aiming towards a safe, secure and prosperous world, also pose some unparalleled challenges to the traditional areas of national and international legal systems, including space law. This may result in confusion and possible inconsistency in the applicability of legal norms, perhaps even challenging the foundational norm and objective of traditional international space law – that the ‘exploration and use of outer space shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development’.

In this paper, the authors plan to analyse some of these challenges and propose specific steps to be taken by the international community to maintain, but also strengthen, expand and update the international space regulatory framework. Based on two case studies involving the originally constituted structure of INTELSAT and the current structure of INTERSPUTNIK, the paper will evaluate the appropriateness of intergovernmental operating organisations, as an essential part of international space regulatory framework, for maintaining the key objective of international space law and thereby achieving progress for the whole humanity on a long term basis in ever changing and interconnected global village.