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Author: Ms. Lindsey Wiser
Arizona State University, United States, lindsey.wiser@asu.edu

Dr. Timiebi Aganaba-Jeanty
Arizona State University, United States, taganabajeanty@asu.edu

CONCEPTUALIZING AN EVOLVING SPACE GOVERNANCE SYSTEM

Abstract

Space exploration and utilization is a rapidly expanding sector and there is growing consensus that the complex space governance system must necessarily evolve with it. Faced with this dynamic nature, we present a clear framework for conceptualizing the space governance system as a tool for discussions on space law and policy, demystifying its structure and the actors, instruments, and collaborations within it. We then consider key evolutions in the space field within this framework.

We define four components of the space governance system: international space law, international agreements, national space policies and laws, and stakeholder interactions and interrelations. We visualize these components as concentric circles from the inside out. This visualization enables us to ask the following questions: If there are gaps and/or details missing in international law, is it appropriate for domestic laws, agreements, or standards to step in and become active parts of the international domain? When/should those domestic instruments become international law? These are timely questions in light of an increasing number of space agreements internationally, such as the United States' Artemis Accords. Additionally, we consider the impact stakeholders such as private companies are having on the international domain. Private actors are more involved in setting standards and priorities than ever before. For example, both the Artemis Accords and the United Nations Long Term Sustainability Guidelines have incorporated an increased awareness of private space activities, particularly concerning resource utilization and space traffic management, that has historically been excluded.

There is an evolution happening in the space regime, requiring us to adapt our understanding of the space governance system to one that is open textured. We must demystify its structure so it is more clearly understood, resulting in an interpretation that enables us to work towards a modernized system that maintains core principles of peace, cooperation, sustainability, and protection of the space environment.