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Norms and Standards for Safe and Responsible Behaviour in Space (3)

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PATHWAYS TO NORM DEVELOPMENT: RESPONSIBLE BEHAVIOR IN, FROM, AND THROUGH
SPACE**Abstract**

“Norms of responsible behavior in space” is a phrase that gets used quite frequently across the space sector. The concept, however, needs further explanation. The norms that are needed are not limited to “in space” norms, but also from and through space. Disposal of rocket bodies, Earth climate impacts of space launch practices, use of lasers, and activities combining cyber and radiofrequency activities with space activities should all be addressed within “responsible behavior” – not just the acts or omissions carried out in orbit or on the surface of a celestial body. Of course, these activities encompass a wide range of behaviors, and thus cannot be comprehensively addressed in a single normative instrument. The purpose of this paper is to provide practitioners with a range of tools to actively engage norm development in their respective fields.

Multiple pathways exist to develop norms of responsible behavior ‘for’ space. This paper explores those pathways, providing opportunities for commercial space companies, space insurers, government regulators, governments, and other IGOs or NGOs to contribute to norm development. Corporate social responsibility is a form of self-regulation. While self-regulation is certainly not the only method to be used, it provides opportunities for commercial actors to set standard operating practices to preserve the continued viability of their industry. Insurers can act as quasi-governmental regulators when setting terms for their policies and offering adjustments to premiums for different types of space insurance. IGOs and NGOs contributing to norm development regularly; COSPAR, the Hague Space Resources Governance Working Group, and For All Moonkind are just some examples of highly visible groups that have actively contributed to norm development and that also in some cases engage with industry partners. Of course, UN-level engagement can lead to resolutions or ‘soft law’ mechanisms that likewise provide significant contributions and UNCOPUOS observers have added to that conversation. Certainly, government regulators have a role to play, as countries with active space sectors can develop standards which become normalized. The commercial space sector can contribute to regulation development at a domestic level. Using the US example, both COMSTAC and the opportunity for notice and comment periods on new regulations offer pathways to contribute commercial expertise. These pathways will be explored in greater breadth and depth to help inform interested partners how they can participate in norm development.