

IAF SYMPOSIUM ON SECURITY, STABILITY AND SUSTAINABILITY OF SPACE ACTIVITIES
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ENHANCING THE NORMS AND PRINCIPLES GOVERNING INTERNATIONAL SPACE
ACTIVITIES TO MITIGATE SPACE RISKS AND THREATS, ILLUSTRATED BY THE ANTARCTIC
TREATY SYSTEM.

Abstract

The development of Space and Antarctic activities shares a common origin dating back to the Cold War era. Both domains were recognized as critical arenas for the future of international peace and stability due to their potential to exacerbate international tensions and enhance the military capabilities of belligerents. Recognizing the imperative to uphold international stability, states, as principal actors on the global stage, endorsed the creation of multilateral systems aimed at mitigating conflict risks. This led to the establishment of the Outer Space Treaty and Antarctic Treaty, both rooted in the principle of peaceful utilization of these domains and prioritizing scientific endeavors for the betterment of humanity. These treaties laid the groundwork for a prolonged period of peace in outer space and Antarctica. However, with the advancement of technology and the dawn of a new interregnum characterized by shifts in the international order, the Outer Space Treaty System has revealed vulnerabilities in its foundational principles. This is evident in the emergence and proliferation of space weaponry technologies, the militarization of space operations (both offensive and defensive), and the establishment of dedicated Space Forces within regular military structures. In contrast, while the Antarctic Treaty System also faces challenges in reaching consensus on strategic matters pertaining to the region, the Antarctic peace prevails, and there is a greater international consensus on maintaining the continent for peaceful and scientific purposes. This paper undertakes a comparative analysis of the international governance of both treaty systems with the aim of identifying the causal factors behind their disparate evolution. The objective is to discern and isolate critical aspects arising from practices and norms that could be leveraged to fortify the Outer Space Treaty System, drawing insights from the Antarctic Treaty System's resilience. Through an explanatory analysis, this research contributes to the international academic discourse by shedding light on emerging formulations of non-binding norms and their influence on the perceived incentives among international actors to reaffirm the commitment to peaceful uses of outer space, thereby enhancing global security perceptions. Ultimately, the ability to conduct such research opens avenues to underscore the importance of nurturing an ecosystem supportive of the multilateral framework of the Outer Space Treaty. It underscores the imperative of modernizing this framework to fulfill the primary goal set over six decades ago: preventing a large-scale conflict from engulfing outer space.