Space governance:
the role and contribution of international intergovernmental organisations

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Outer Space: an International Endeavour

- No sovereignty over Outer Space
- Large allocation of public resources (including technological ones) to advance Space activities
- Shared access to limited resources: frequencies, science data, meteo, geoinfo
- Coexistence of multiple players in Outer Space: gov’t, science, commerce

COOPERATION FOR SHARED ACCESS AND USE OF OUTER SPACE
Cooperation: a central aspect of space law

- **to prevent** outer space from becoming an area of conflict
- **to distribute** space benefits between space-faring and non-space-faring States
- **to advance** the exploration and use of space through resources efficiency
IGOs: State-enabled fora for International Cooperation

IGOs

- Multilateral Undertakings
- Binding Nature
- Committed to a commonly agreed goal

Specific Structure and Bodies

IGOs & Outer Space

- Access to Outer Space
- Operations in Outer Space
- Regulation of Space Activities: ex, ITU
The Role and Contributions of IGOs to Space Governance

IGOs

**Normative Function**
(formation and development of Space Law)

**Executive Function**
(effective practice of and compliance with Space Law)

**Jurisdictional Function**
(formal acknowledgement and submission to Space Law)

- IGOs as States’ tools to shape or maintain **specialized space regimes**, managed collectively by the States through **specific and stable structures** - e.g., UN COPUOS, ITU, WMO, Disaster Charter

- IGOs as more **responsive structures** to the **fast-evolving needs of Space actors** (increasingly also of a technical nature), providing **stable sets of rules, norms, standards**, necessary for, among others, space access and **management of scarce resources**

- less political, more **technical, result oriented** cooperation approach
The Role and Contributions of IGOs to Space Governance

Normative Function
(formation and development of Space Law)

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• The normative role of IGOs is still limited:
  • Binding nature of rules produced limited to member states
  • Fragmentary body of rules, of an ever-evolving nature, not organic
  • Overlapping of mandates with other actors activities (even if arising to bypass inefficiencies of current IGOs)
  • Not a direct general source of International Law

• But, acknowledgement that customary practice in Outer Space coming from IGOs may have customary value
The Role and Contributions of IGOs to Space Governance

- Carried out by several actors and arising from the implementation of national and international rules (including those not expressly mandated on Outer Space law) and the creation, by IGOs, of new international acts developing Space matters.

- Effective practice of IGOs helps the formation of some universal values, preparing for the normative results, and the implementation of new mechanisms advancing cooperation on Space.

- Some States get access to space benefits only via such IGOs.

IGOs

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The Role and Contributions of IGOs to Space Governance

- In the scope of the mandates attributed to them, **IGOs have adhered to** relevant international bodies of Space Law and, more recently, even **unilaterally submitting themselves to such rules** (e.g. Intersputnik and the OST)

- Having IGOs, under their discretionary appreciation and exercise of legal powers, confirming and applying a normative system of binding obligations clearly sends a message to other space actors on the **stability of those rules** and the existence of a “level playing field” to be respected by all space actors
Tug-of-war between multilateralism and unilateralism puts at stake the role of IGOs in Outer Space.

However, Outer Space is necessarily an international endeavor that requires cooperation between States to ensure that mankind benefits, as whole, from scarce resources.

IGOs, such as UN, building on their expertise, continue to be the best tool available to States for such cooperation as to achieve common goals for mankind.