

# 59<sup>th</sup> IISL COLLOQUIUM ON THE LAW OF OUTER SPACE

## **31<sup>st</sup> IAA/IISL Scientific-Legal Roundtable**

### THE FUTURE OF REGIONAL COOPERATION

#### **Co-Chairs:**

Marco Ferrazzani  
Barbara Ryan

#### **Rapporteur:**

Marc Haese



# Report of the IAA/IISL Scientific-Legal Roundtable

*Guadalajara, Mexico, 29<sup>th</sup> September 2016*

*Chairpersons: Marco Ferrazzani (European Space Agency, ESA) and Barbara Ryan (Group on Earth Observation, GEO)*

*Rapporteur: Marc Haese (Germany)*

International and national cooperation is common practice in today's space projects and a key element of the United Nations Outer Space Treaty. Regional cooperation, however, might stretch beyond national borders, but not, e.g., across continents. This is leading to various types of questions such as which specifics do exist on regional level, and which pros and cons might come with them. On regional level public responsibilities and issues play a strong role. Therefore, the impact of space activities and benefits from applications may be much higher with respect to the economies, the scientific communities and the political leadership. Additionally, the legal and regulatory framework might differ amongst regions. The 2016 IAA/IISL Scientific-Legal Roundtable has addressed those questions, allowing an interdisciplinary perspective.

Note: Just before the start of the Roundtable the Co-Chairs were informed that Anne Sulling (Member of the Estonian Parliament, "Welcome Address") had to call off her participation.

About 35 attendees joined the session, which was opened with short welcoming addresses by the President of the IISL, Tanja Masson-Zwaan, and the Secretary General of the IAA, Jean-Michel Contant. Subsequently, the co-Chairs of this year's Roundtable, Marco Ferrazzani (ESA) and Barbara Ryan (GEO), introduced the topic from a legal and a technical point of view.

As Frans von der Dunk had to respond to a short-term commitment in the course of the Roundtable, his presentation was brought forward. He pointed out that even within Europe there are various institutional and organisational players that represent different groups of member states, such as the European Union (28 member states), the European Space Agency ESA (22 member states) and EUMETSAT (30 member states). In particular, he compared the procurement and implementation procedures for space programmes of the European Space Agency (ESA) and the European Union (EU). Still acknowledging a lack of institutional compatibility, both entities have been learning to cooperate. The following three presentations by Camilo Guzman, Yun Zhao and Mrs Timiebi Aganaba-Jeanty revealed the fact that

dynamics of space activities as well as issues in regional cooperation are different amongst the regions of Latin America, Asia and Africa, respectively. Most influential factors are political stability, financial capabilities and conditions of the economic environment. C. Guzman underlined that the countries of Latin America have been developing cooperation on bilateral, regional and international level. However, especially against the background of political disputes and distrust on business level it is regional collaboration which works best. Here, countries should strive to create specific mechanisms to foster regional cooperation. A special case can be found in academics: networks amongst universities and research institutions provide an excellent base for smooth and successful cooperation amongst different partners, hardly affected by political or economic disruptions. During the next lecture, Y. Zhao concurred that also in the Asia-Pacific region it will be key to further develop trust amongst partners in order to develop sustainable cooperation in the long-term. Organisations like the Asia-Pacific Regional Space Agency Forum (APRSAF) and the Asia-Pacific Space Cooperation Organization (APSCO) have developed individual memberships, structures and processes that provide frameworks for cooperation, but they are not harmonised amongst each other. Dialogue and exchange will be preconditions to develop a framework for space cooperation, and also to provide legal certainty, e.g. during the upcoming phase of space commercialisation. Global organisations such as the World Trade Organisation and the United Nations may serve as examples. The following speaker, T. Aganaba-Jeanty, pointed out that regional cooperation is common within Africa. Specific challenges stem from fact that often projects are driven by non-African partners and from the lack of human resources. For several years the idea of an African Space Agency has been discussed which may be an organisation that funds, coordinates and integrates African space projects. Currently, a plan to support start-ups and help implementing projects is under development. The African Resource Management Satellite (ARMC) constellation, an initiative of Nigeria, South Africa, Kenya and Algeria, will demonstrate a fruitful multilateral cooperation to support effective environmental and resource management in Africa. All three speakers underlined the importance of building trust and confidence in the development of regional frameworks for cooperation. They agreed that, basically, space offers good opportunities to support such development, e.g. in the frame of science or application related missions. The final presentation by Mark Sirangelo gave insight into the variety of partnerships that large space projects require, on technological, governmental and legal side. Entrepreneurship means entrepreneurial partnerships, not only on national but on global level. Also non-space-faring countries might consider their involvement in space projects. Examples show that the very opportunity to engage in a space project may significantly advance national R&T competencies, education and business development.

The lectures of the five invited speakers were followed by a discussion of about one hour, first amongst co-Chairs and speakers, then entering Q&A with the audience, with the primary question being how to better facilitate cooperation on regional or even global level.

The following conclusions and key points can be noted from the session:

- Harmonisation of different regulatory and legal frameworks of organisations, countries and on global level would help improving boundary conditions for regional as well as for international cooperation in space cooperation.
- Creating new mechanisms and possibly new organisations dedicated to regional cooperation will foster development of successful space projects in the long-term.
- Building trust amongst partners on political and economic level is essential to develop sustainable cross-border partnerships on regional level.
- Networks amongst universities and research institutions provide an excellent base for smooth and successful cooperation amongst different partners, hardly affected by political or economic disruptions.

Two authors prepared full papers, Mrs Timiebi Aganaba-Jeanty (World Space Week Association, Canada) and Prof Yun Zhao (University of Hong Kong).

### Table of Speakers

	Name	Institution, Country	Presentation
	<i>Anne Sulling – called off at short notice –</i>	<i>Parliament of Estonia, 2016- chair of ISEP board, Secretary General SGSC</i>	<i>Welcome Address</i>
1	Frans von der Dunk	University of Nebraska, USA	“European Regional Cooperation in Space: Legal Aspects”
2	Camilo Guzman	Sergio Arboleda University, Colombia	“The Difficulties of Space Cooperation in Latin America”
3	Yun Zhao	University of Hong Kong, Hong Kong	“The Role of Regional Space Cooperation in Procuring Space Security in the Asia-Pacific Region: a Prospect for Future”
4	Timiebi Aganaba-Jeanty	World Space Week Association, Canada	“Realizing a Regional African Space Programme”
5	Mark Sirangelo	Sierra Nevada Corporation, USA	“The Importance of Regional Cooperation in the Development of Large Space Systems”

