

Consequences of Commercial Use of Space: Current European Measures and Interests

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‘If we want things to stay as they are, things will have to change’

Tancredi in *Il Gattopardo*, Giuseppe di Lampedusa

‘... in Italy for 30 years under the Borgias they had warfare, terror, murder, and bloodshed, but they produced Michelangelo, Leonardo da Vinci, and the Renaissance. In Switzerland they had brotherly love - they had 500 years of democracy and peace, and what did that produce? The cuckoo clock.’

Harry Lime in *The Third Man*

‘The art of progress is to preserve order amid change and to preserve change amid order.

Alfred North Whitehead

Where we are

- The state-centric nature of current space law
 - Registration – no problem
 - Jurisdiction and control – small problem
 - Liability – big problem
- The Province of All Mankind
 - The Moon Treaty
 - The U.S. Commercial Space Launch Competitiveness Act
 - Where lie the interests?
- The ITU system
 - The role of industry
 - Why the difference between national and international approaches
- The UNIDROIT Protocol on security interests in space assets

Where are we going

- PAROS, PPWT, No first placement of weapons in outer space
- The International Code of Conduct for outer space activities
- Are the private actors engaged?
- Hard law versus soft law
 - The route through domestic regulation
 - What do private actors want?
- Self-regulation

What should Europe be doing?

- A playing field? – EU and the World Radio Conferences
- A level playing field? - TTIP, WTO
- Relying on our strengths
 - Elite versus broad-based education
 - Disruptive versus sustaining innovation
 - Dirigisme
 - Switzerlandisation
- Reverse brain drain
- Is the US our main competitor?
- Defend the rule of law, modernise governance - the hegemon and the rising power