



POLICY BRIEF

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Space Diplomacy as a Much-Needed Tool for Stability and Science in the Emerging Nexus of Military, Commercial, and Scientific Space Activities

Based on

The 2023-2024 EUCOS Policy Symposium - Space Diplomacy

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Summary

The Inaugural Space Diplomacy Symposium at the University of Washington provided a much-needed platform to explore the evolving landscape of space diplomacy and connect stakeholders from civil, military, commercial, and scientific space sectors. Discussions highlighted the importance and current shortcomings of diplomatic efforts in maintaining peaceful and productive uses of space in the face of rapid expansion of military and commercial space activities.

Two important overlapping, yet distinct nodes of interaction were identified by the speakers, the first comprising the United States, the European Union, and Russia, and the second the United States and China. The circumstances of each interaction were described as taking place in different contexts but with diplomacy as a critical tool for each.

The speakers discussed how the blurring of military, civilian, and commercial space sectors in Europe have driven in a shift away from transparency and towards increasing militarization, with this trend accelerating after the recent Russian invasion of Ukraine. The war in Ukraine has highlighted the critical importance of space assets – including commercial space assets – as support for terrestrial military actions. Speakers pointed to the formation of the European Union Agency for the Space Programme (EUPSA) which has defense as part of the agency's mission as a signifier of the shift from arms control and transparency towards an increasingly militarized use of space. In this context, military and scientific space diplomacy were highlighted as potentially powerful tools for preventing European states from “sleepwalking into an arms race.”

Multiple speakers described US - China competition in space as the emerging dominant interaction within an increasingly crowded suite of space-capable states. Unlike Europe which has a strong history of arms control and scientific cooperation that has influenced space activities, speakers highlighted the lack of historical cooperation between China and the west. This lack of history was described as leading to the primarily competitive nature of the emerging bilateral and multilateral agreements involving Chinese and Asian space agencies more broadly. Despite these contextual differences, military and scientific space diplomacy in particular were again highlighted as underutilized and potentially meaningful methods for increasing



communication and transparency surrounding space activities between China, the US, and Europe.

In addition to the major topics of the militarization of space in Europe and the rise of China, speakers discussed many other contemporary challenges, including the proliferation of space debris, the uncertainties surrounding the rules for commercial actors, and harms to scientific research in many fields resulting from the broader commercialization and militarization of space activities. The event also underscored the importance of astronomy and human spaceflight research in shaping the diplomatic discourse, and repeatedly affirmed the importance of the ideas outlined in the 1967 Outer Space Treaty.

Keywords:

Space Diplomacy, International Relations, Arms Control, Transparency, Militarization of Space, Commercial-Military Space Nexus, Ukraine War, Rise of China, European Space Agency, 1967 Outer Space Treaty, Astronomy, Human Spaceflight Research.

Relevance to Legislation:

The symposium speakers did not focus on international law as a likely means for increasing transparency or cooperation in space. Instead, they generally emphasized the need for adopting national legislation that would encourage bilateral and multilateral actions to address contemporary challenges in military, commercial, and civilian space activities. Transparency in space activities, clarification of laws surrounding commercial and military space assets, and scientific cooperation were highlighted as legislative areas to target in both Europe and the US. While acknowledging the foundational role of the 1967 Outer Space Treaty, discussions urged the rapid development of a nuanced legal framework that aligns with the evolving space landscape.

Relevance to Existing Concerns:

The speakers highlighted a number of key areas and current events where space diplomacy has an important role to play. Key areas included heightened tensions among space-faring nations – notably the US, EU, Russia, and China – the blurry line between commercial and military



space assets, and the risks posed by space debris and satellite constellations to human spaceflight, satellites, and astronomy, Ongoing events that embody these concerns are the war in Ukraine, increasing tensions between the US, Europe, and China, SpaceX's dominant role as a launch and satellite internet provider to the US government and allies, the shift in funding from ESA to the EUPSA, and ongoing efforts to reduce light pollution from satellites. The speakers unanimously highlighted the potential benefits that increased space diplomacy through state and non-state actors could have on transparency, conflict mitigation, and the establishment of clear guidelines for responsible behavior in the dynamic space domain.

Description of the Problem:

The key problem outlined by the speakers is the inadequacy of existing legal frameworks for dealing with rapidly developing military and commercial space capabilities. Space as a key military domain is not a new concept, but one speaker called the ongoing war in Ukraine “the first commercial space war.” After a few decades of relative peace, the emergence of great power conflict and competition coupled with the rapid rise of the commercial space sector, existing norms and laws governing space activities leave many gray areas where actions may produce undesirable outcomes. Elon Musk's personal control over the provision of internet service to Ukrainian military units and the lack of clarity of how to respond on the part of the US, Ukraine, and Russia was highlighted as an example of this reality.

Space diplomacy is well suited to address these shortcomings and the speakers argued not enough diplomatic conversations are occurring between stakeholders both nationally and internationally.

Recommendations:

1. **Adapt Legal Frameworks for Contemporary Challenges:** Advocate for the adaptation of national legislation to address contemporary challenges in military and commercial space activities, considering the principles outlined in the 1967 Outer Space Treaty.
2. **Promote Diplomatic Collaboration:** Encourage diplomatic initiatives to foster collaboration, transparency, and shared responsibilities among space-faring nations as well as between the military, commercial, and scientific space sectors to mitigate potential conflicts and ensure the responsible use of outer space.



3. **Re-focus on Arms Control in European Space Activities:** Take actions to combat the increasing militarization of space agencies and space spending in Europe through increased military and scientific diplomacy with a goal of bringing arms control back into international discussion.
4. **Open Diplomatic Efforts on Space Activities with China:** Take steps at the national level to encourage increased engagement with Chinese space activity as a means of opening up channels for engagement in space diplomacy through military and scientific domains.
5. **Establish Clear Guidelines for Commercial Actors:** Work towards the creation of internationally accepted guidelines for commercial space actors, addressing issues such as space debris mitigation, responsible behavior, and adherence to global norms.
6. **Advance Astronomy and Human Spaceflight Research:** Recognize and promote the scientific and diplomatic importance of astronomy and human spaceflight research for fostering international collaboration and peaceful cooperation in space.

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Sources:

<https://www.law.uw.edu/academics/programs/global-business-law-institute/space-ldp/space-diplomacy-symposium>