

***Towards Evolving a
South Asian Space Charter:
Reflections on Law and Politics***

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Towards Evolving a South Asian Space Charter: Reflections on Law and Politics

- South Asia – Configuration
 - South Asian Association of Regional Cooperation (SAARC)
 - Association of South East Asian Nations (ASEAN)
- One-fifth of global population lives there
- Eight member countries
 - Rich in natural resources
 - Exploration and exploitation of these resources
 - Natural disasters

SAARC Framework for Cooperation

- SAARC Charter
 - Foster mutual understanding
 - Good neighbourly relations
 - Meaningful cooperation among members
- Tied by history and culture
- Preamble refers to “common problems, interests and aspirations of people of South Asia
- Decisions through unanimity
- Bilateral and contentious issues excluded

SAARC

Institutions and Areas of Cooperation

- Council of Ministers, Standing Committee and Technical Committees
- Areas of Cooperation –
 - agriculture,
 - Biotechnology,
 - culture,
 - economic and trade (South Asian Free Trade Area),
 - education,
 - environment,
 - finance,
 - information, communication and media,
 - people-to-people contact,
 - poverty alleviation and
 - science and technology

Space Programme Asymmetries in South Asia

- India and Pakistan - space programmes
- technological dominance (especially India)
- Indian Space programme – self-driven despite sanctions against it (due to nuclear issues)
- Indian Space Research Organisation (ISRO) – emerging as commercially viable (Antrix Co.)
- Pakistan Space and Upper Atmosphere Research Commission (SUPARCO)
- Bangladesh Space Research and Remote Sensing Organisation (SPARRSO) – established in 1991
- Sri Lanka proposes to launch its own satellite next year
- Maldives, Nepal and Bhutan – no space programme

SAARC and Space Treaty Regime

- Afghanistan, Bangladesh, India, Nepal, Pakistan and Sri Lanka – parties to Outer Space Treaty
- Maldives party to Rescue Convention only (India and Pakistan as well)
- India and Pakistan – Parties to Liability and Registration Conventions (also members of COPUS)

South Asian Space Charter: Evolving a Model

- European Space Agency model – established in 1980
- European Space Research Organisation (ESRO) and European Launch Development Organisation (ELDO) for the development of space launch vehicles
- Why ESA? -to manage high cost of technology (that these resources lie beyond the means of any single European country)
- Exclusively for peaceful purposes
- Facilitate exchange of scientific and technological information (soft law options)
- No obligation to transfer information affecting a country's security interests
- ESA Member States to decide – rights of access, rights relating to disclosure and rights of use.
- `mandatory' (research etc) and `optional' (satellite design) activities

Conclusions

- South Asia - Common historical and socio-cultural background (similarities to Europe)
- Interplay of law and politics
- Asymmetries in space programmes
- Space technology as dual use technology (strategic issues)
- High cost technology - one single State cannot afford
- ESA Model (delineating soft and hard issues)
- Finally a draft Space Charter referring to UN Charter Principles