Part Two: Evolution
Chapter 3

Need for a Sectorialized Space Law Dispute Settlement Mechanism

International space law is a strange beast. It straddles basic principles of international law and economics on the one hand, and cutting-edge technology and science on the other. This creates a fascinating crucible of interdisciplinary issues, and any dispute settlement mechanism in international space law must somehow be structured to address all these concerns.

The pioneers of international space law made several intrepid innovations in the infancy of this branch of international law. In legislating for a field of activity that was novel and unknown, they put their collective minds to creating a framework that was pre-emptively visionary. This foresight finds articulation in the founding principles of international space law.

It is submitted that international space law is in urgent need of a sectorialized dispute settlement mechanism. Presently, international space law faces three scenarios with regard to dispute settlement:

1. General reference to international law for dispute settlement;
2. Bilateral *ad hoc* establishments in the case of disputes arising; or
3. Stalemate, with no resolution of the dispute.

None of these circumstances is acceptable especially in a field such as international space law. This Chapter argues that international space law requires a special sectorialized dispute settlement mechanism that is permanent and compulsory. This is due to two over-arching factors in disputes relating to outer space. Firstly, activities in space take place in unique circumstances and form an exceptional paradigm. Second, due to this factor, a general dispute settlement mechanism is unsuitable for the settlement of disputes arising from space activities.