

Space Forces or Space Governance? Comparative Legal Models and the Ukrainian Case

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Recent policy statements and legislative initiatives in Ukraine have brought renewed attention to whether the establishment of dedicated Space Forces is a necessary institutional response to the growing military use of outer space. The creation of the Space Policy Directorate within the Ministry of Defence of Ukraine and the introduction of Draft Law No. 13255, proposing amendments to the structure of the Armed Forces of Ukraine, indicate an emerging interest in formalising military space capabilities. This article examines whether the creation of Space Forces is a legal necessity or whether alternative models of space governance offer a more appropriate public law framework.

Employing a comparative legal methodology, the article analyses institutional models adopted in the United States, China, the United Kingdom, selected EU Member States, and the European Union's civilian-led space governance system. These models are assessed against the international legal baseline established by the Outer Space Treaty and relevant scholarly interpretations of the military use of outer space. The Ukrainian case is then evaluated in light of these comparative experiences, with particular attention to legality, civilian control, accountability, and institutional design.

Keywords: Space Forces, space governance, military use of outer space, public law, Ukraine, comparative space law, Outer Space Treaty, civilian control, institutional design.

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Introduction

The institutionalisation of military activities in outer space has recently emerged as a concrete legal and policy issue in Ukraine. While Ukraine has relied on space-derived services and partner support amid ongoing hostilities, recent developments indicate a shift towards the

development of a more structured national framework for military space activities. This shift is reflected first in the establishment of a dedicated Space Policy Directorate within the Ministry of Defence of Ukraine and second in the registration of Draft Law No. 13255, which proposes amendments to the structure of the Armed Forces of Ukraine by introducing Space Forces as a separate branch. Taken together, these developments raise fundamental questions of public law concerning legal necessity, institutional design, and governance in the military space domain.

On 30 March 2025, the Ministry of Defence of Ukraine officially announced the establishment of the Space Policy Directorate during the *Space For Ukraine Forum* (Ministry, 2025a). According to the Ministry, the primary objective of the Directorate is to consolidate internal and external capabilities to advance Ukraine's military space sector. The announcement described the Directorate as a policy-oriented body tasked with developing the regulatory and legal framework for military space activities, identifying advanced space technologies, and acting as a central coordination point for a broad range of stakeholders, including developers, scientists, entrepreneurs, and international partners (Ministry, 2025a). The emphasis placed on regulation, coordination, and expertise frames the Directorate as a governance mechanism rather than as an operational military unit.

Further clarification of the Directorate's role was provided in a subsequent communication published by the Ministry of Defence on 14 May 2025, addressing key questions related to military space activities (Ministry, 2025b). In this document, the Ministry defined the military space domain as the use of space technologies, infrastructure, and assets to meet military needs, explicitly excluding the placement of weapons in space. It identified three core military needs in the space domain: satellite communications, intelligence and reconnaissance, and early warning of missile threats (Ministry, 2025b). These functions were presented as essential enablers of command and control, operational planning, and civilian protection.

The same communication elaborated on the institutional logic underpinning the creation of the Space Policy Directorate. The Ministry declared its readiness to assume a leading role in the development of Ukraine's national military space sector, as envisaged under the Law of Ukraine "On Space Activities," and described the Directorate as a centre of expertise responsible for coordinating efforts across the military, civilian authorities, international partners, commercial actors, and the scientific community (Ministry, 2025b). The Directorate's tasks were grouped into three areas: enhancement of the regulatory framework through the preparation of draft legal acts; provision of technological expertise through cooperation with research and development institutions; and strategic coordination of space-based support for defence needs, including contractual arrangements with international and commercial providers (Ministry, 2025b). The Ministry further indicated that the Directorate would be funded through the reallocation of existing defence resources and would not entail changes to the overall size of the Armed Forces.

Parallel to these institutional measures, the legislative branch initiated a formal discussion on the structural incorporation of space capabilities into the Armed Forces. Draft Law No. 13255, introduced in 2025, proposes an amendment to Article 3 of the Law of Ukraine "On the Armed Forces of Ukraine" by adding "Space Forces" to the statutory list of branches of the Armed Forces, alongside the Land Forces, Air Forces, and Naval Forces (Verkhovna, 2025a). The normative content of the draft law is confined to this structural modification and does not provide detailed regulation of the mandate, functions, command arrangements, or oversight mechanisms of the proposed Space Forces.

The explanatory note accompanying Draft Law No. 13255 sheds light on the rationale underlying the legislative initiative (Verkhovna, 2025b). It argues that the creation of Space Forces would enable Ukraine to acquire organisational, institutional, legal, and military-

technical capabilities to counter threats characterised as originating from outer space, particularly in the context of the ongoing armed aggression by the Russian Federation. The explanatory note further refers to the existence of comparable military structures in other states, Ukraine's scientific and industrial potential in the space sector, and the use of satellite services and space infrastructure in current defence operations as factors supporting the proposed reform (Verkhovna, 2025b). It also explicitly links the proposed establishment of Space Forces to the Ministry of Defence's earlier decision to create the Space Policy Directorate, presenting the Directorate as an initial step towards the formation of a broader space defence segment.

At the same time, the explanatory note reveals features of the proposed reform that are particularly relevant from a public law perspective. It acknowledges that the establishment of Space Forces would require further legislative regulation and corresponding financing from funds allocated to the security and defence sector, while also recording the absence of public consultations and the absence of anticorruption and other specialised expert reviews in the preparation of the draft law (Verkhovna, 2025b). Moreover, the draft law itself remains silent on key issues, including civilian oversight, inter-agency coordination with civilian space authorities, and the relationship between the proposed Space Forces and existing defence and space institutions.

These institutional and legislative developments have been accompanied by policy-oriented statements reported in the national media, indicating that the government envisages the creation of Space Forces by the end of 2025 (Ukrainian, 2025). While such reports do not carry normative force, they form part of the broader political context in which the legal debate unfolds and illustrate the sense of urgency attributed to the issue by public authorities.

Taken together, the establishment of the Space Policy Directorate, the articulation of its mandate, and the introduction of Draft Law No. 13255 demonstrate that Ukraine is at a formative stage in defining its approach to military space activities. This stage is characterised by the coexistence of governance-oriented instruments and proposals for structural military reform. The central legal question, therefore, is not whether space capabilities are necessary for Ukraine's defence, but whether the creation of Space Forces as a separate branch of the Armed Forces constitutes the most appropriate institutional and legal response at this stage. This article addresses that question by analysing Ukraine's emerging framework through the lens of public law, with particular attention to institutional design, regulatory coherence, and accountability, and by assessing whether a governance-based approach may offer a more legally robust foundation than the immediate establishment of a new branch of the Armed Forces.

1. International Legal Baseline for Military Uses of Outer Space

It is well established that international law applies to activities conducted in outer space. This principle is expressly affirmed in Article III of the Outer Space Treaty (OST), which requires States Parties to carry out activities in outer space "in accordance with international law, including the Charter of the United Nations, in the interest of maintaining international peace and security" (United, 1967). As Freeland explains, the inclusion of this provision reflected early concerns that outer space might become an arena of international confrontation and confirms that the fundamental norms of the international legal order – most notably the prohibition of the threat or use of force under Article 2(4) of the UN Charter – extend beyond the terrestrial domain (Freeland, 2016).

At the same time, the OST does not establish a regime of comprehensive demilitarisation of outer space. Article IV (1) imposes a specific and narrowly framed prohibition, barring

States from placing nuclear weapons or other weapons of mass destruction in orbit, from installing such weapons on celestial bodies, or from stationing them in outer space in any other manner (United, 1967). As Freeland observes, this provision neither amounts to a general ban on military activities in outer space nor prohibits the placement or use of conventional weapons (Freeland, 2016: 43). Pobjie likewise emphasises that the Treaty's most explicit restriction concerns weapons of mass destruction and that neither the testing nor the use of conventional weapons in outer space is per se prohibited under the OST (Pobjie, 2024).

Ferreira-Snyman likewise stresses that Article IV OST establishes only limited, specifically framed prohibitions and that many practical legal challenges arise not from a categorical ban on military activity, but from the interaction between "peaceful purposes," dual-use systems, and the application of general international law to military uses of outer space (Ferreira-Snyman, 2015).

A more restrictive legal regime applies to the Moon and other celestial bodies. Article IV (2) of the OST requires that celestial bodies be used exclusively for peaceful purposes and explicitly prohibits the establishment of military bases, installations, or fortifications, the testing of any type of weapons, and the conduct of military manoeuvres. At the same time, the provision permits the use of military personnel for scientific research or other peaceful purposes (United, 1967). This stricter regime, however, is limited to celestial bodies and does not extend to outer space as a whole.

One of the most enduring interpretative controversies under the OST concerns the meaning of the term "peaceful purposes." As Freeland notes, debate over whether "peaceful" should be understood as "non-military" or merely "non-aggressive" arose almost immediately after the Treaty's adoption and remains unresolved (Freeland, 2016). While some commentators have argued in favour of a non-military interpretation, State practice has long involved the use of outer space for a wide range of military-related activities. Freeland therefore points to the potential relevance of subsequent practice as an interpretative tool under Article 31(3)(b) of the Vienna Convention on the Law of Treaties, while also cautioning that reliance on subsequent practice in this context remains controversial among space law scholars (Freeland, 2016).

Pobjie similarly highlights the lack of consensus on the scope of the "peaceful purposes" principle and stresses that the OST's clearest legal limits concern weapons of mass destruction rather than military activities as such (Pobjie, 2024). She situates the debate within the broader framework of treaty interpretation, acknowledging the relevance of both travaux préparatoires and subsequent practice, while recognising that these interpretative tools have not produced a uniform understanding of the provision.

In practical terms, contemporary military uses of outer space are predominantly associated with satellite systems rather than with weapons stationed in orbit. Pobjie identifies intelligence, surveillance, and reconnaissance (ISR), positioning, navigation, and timing (PNT), and communications as the core military functions performed by satellites (Pobjie, 2024: 2). These systems are integral to modern military operations, while simultaneously supporting a wide range of civilian and commercial activities. As a result, satellite infrastructure is predominantly dual-use.

This dual-use nature generates complex legal challenges. Satellites may be subject to both kinetic and non-kinetic interference, including laser-based actions, electromagnetic interference such as jamming, hijacking, spoofing, or scanning, as well as cyber operations (Pobjie, 2024: 3). Such interference may produce permanent effects or may be temporary and reversible. Crucially, there is no agreed definition of what constitutes a prohibited "use of force" in outer space, and it remains legally uncertain whether temporary or reversible

interference with space systems – such as jamming or dazzling – meets the threshold of a use of force under international law (Pobjie, 2024).

The right of self-defence under Article 51 of the UN Charter applies to armed attacks conducted in or through outer space by virtue of Article III of the OST (United, 1967; Pobjie, 2024). Any exercise of self-defence, however, remains subject to the customary requirements of necessity and proportionality. Pobjie draws particular attention to the proportionality requirement in the space domain, noting that kinetic anti-satellite operations may generate long-lasting space debris with potentially widespread and enduring consequences for other space users. In such circumstances, even actions undertaken in self-defence may raise serious proportionality concerns (Pobjie, 2024).

Both Freeland and Pobjie converge on the view that, although existing international law clearly applies to military uses of outer space, it was not developed with the specific technical and operational characteristics of the space environment in mind. Freeland argues that the traditional law of armed conflict, while formally applicable, may be ill-suited to address challenges such as attribution, the protection of dual-use objects, and the cascading civilian effects of interference with space systems (Freeland, 2016). Pobjie likewise underscores persistent legal uncertainty concerning the classification of space operations as uses of force or attacks, the role of commercial actors, and the application of international humanitarian law to non-kinetic operations (Pobjie, 2024).

Taken together, the international legal framework permits the military use of outer space, subject to specific prohibitions and overarching constraints derived from the UN Charter. At the same time, the absence of a comprehensive and detailed regime governing space warfare places heightened responsibility on States to ensure that their domestic institutional arrangements and military doctrines are capable of implementing international legal obligations. This international legal baseline, therefore, both enables military activity in outer space and delineates normative limits intended to mitigate escalation and preserve international peace and security in an increasingly contested domain.

2. Comparative Institutional Models of Military Space Governance

States have adopted different institutional arrangements to organise military-related space activities. The instruments and sources examined here – domestic legislation, defence policy statements, and EU governance acts – illustrate a spectrum ranging from the formal creation of a separate armed service to models based on specialised commands and governance structures. This comparative overview focuses on institutional design as it appears in the cited primary and authoritative sources, without assuming that any single model is legally required or universally transferable.

2.1. United States: Creation of a Separate Armed Service (Statutory Model)

The United States provides a paradigmatic example of a statutory model based on the formal creation of a separate armed service. In 2019, Congress established the United States Space Force (USSF) as an armed force within the Department of the Air Force through amendments to Title 10 of the United States Code (United, 2019). Section 9081(a) expressly provides that “there is established a United States Space Force as an armed force within the Department of the Air Force,” thereby conferring a clear legal status on the USSF as a distinct component of the Armed Forces rather than as an internal command arrangement.

Section 9081(b) defines the basic composition of the Space Force, identifying the Chief of Space Operations and the space forces and assets organic to the service. More substantively, § 9081(c) specifies that the Space Force “shall be organized, trained, and equipped” to provide freedom of operation for the United States in, from, and to space, as well as prompt and sustained space operations (United States Congress, 2019). Section 9081(d) further assigns core duties to the Space Force, including protecting United States interests in space, deterring aggression in, from, and to space, and conducting space operations.

From an institutional perspective, the US model is characterised by a high degree of legal formalisation. The establishment of the Space Force is not merely declaratory but is embedded in a detailed statutory framework that defines its existence, functions, and position within the broader military structure. Importantly, the statute situates the Space Force within the Department of the Air Force rather than creating an entirely new military department, thereby combining institutional differentiation with administrative integration (United, 2019). This legislative architecture illustrates a model in which the creation of a new armed service is accompanied by explicit legal articulation of mandate and function, rather than being left to subsequent policy development.

2.2. China: Reorganisation under the Central Military Commission (Integrated-Centralised Model)

China’s recent institutional developments point to a model of centralised reorganisation under the Central Military Commission (CMC), rather than the statutory creation of a separate, service-level “space force” comparable to the principal service branches of the People’s Liberation Army (PLA).

According to the United States Department of Defense, on 19 April 2024 the People’s Republic of China announced the dissolution of the PLA Strategic Support Force (SSF) and the establishment of a new Information Support Force (ISF) directly subordinate to the CMC (U.S. Department of Defense, 2024). Following the SSF’s dissolution, two previously subordinate entities – the Aerospace Force (ASF) and the Cyberspace Force (CSF) – were likewise realigned under the CMC. The report further describes an updated organisational structure consisting of four “theater-grade services” (the PLA Army, Navy, Air Force, and Rocket Force) and four deputy-theatre-grade forces or service “arms”: the Aerospace Force, Cyberspace Force, Information Support Force, and the Joint Logistics Support Force (U.S., 2024).

A closely corresponding account is provided in *PLA Update*, Issue 20, published by the Center for Naval Analyses. CNA reports that on the same date Beijing unveiled a restructuring of PLA forces responsible for space, cyberspace, electronic, information, communications, and psychological warfare missions; that the SSF – established in late 2015 to centralise these capabilities – was formally disbanded; and that three new forces were created in its place: the Aerospace Force, Cyberspace Force, and Information Support Force, all directly subordinate to the CMC (Center, 2024: 2). CNA further notes that official public messaging surrounding the reform placed particular emphasis on the ISF and reports that Xi Jinping characterised it as a “strategic branch” tasked with coordinating the construction and employment of the PLA’s information systems and integrating them into joint operations frameworks (Center, 2024).

This interpretation is reinforced by the International Institute for Strategic Studies, which likewise characterises the April 2024 changes as a restructuring that marked the end

of the PLA Strategic Support Force and redistributed its former responsibilities across newly established entities. IISS notes that the reform reflects an effort to strengthen centralised control and streamline the organisation of information- and space-related capabilities under the authority of the Central Military Commission (International, 2024).

Taken together, these sources support the conclusion that China has opted for a model of structural redistribution and enhanced central subordination of space- and information-related functions within the CMC system, rather than the establishment – whether legal or organisational – of a separate armed service equivalent to the PLA's main service branches.

2.3. United Kingdom: Joint Command within Defence Structures (Command Model)

The United Kingdom has adopted a command-based institutional model for organising military space activities, centred on the creation of a specialised joint command rather than the establishment of a separate armed service by statute.

UK Space Command was officially launched in 2021, following its formation earlier that year, and is based at RAF High Wycombe (UK, 2022). According to the Ministry of Defence, the stand-up of UK Space Command represents a key step in operationalising the space domain within UK defence structures and in protecting UK and allied interests in, from, and through space (UK, 2022). The official announcement specifies that, once at full operating capability, UK Space Command will provide command and control of all Defence space capabilities, including the UK Space Operations Centre, RAF Fylingdales, the SKYNET satellite communications system, and other enabling capabilities. Authoritative government guidance further characterises UK Space Command as the defence lead for space operations, space workforce, and space capability. Institutionally, it is described as a joint command staffed by personnel drawn from the Royal Navy, British Army, and Royal Air Force, alongside civil servants and contractors, rather than as a separate service branch (UK, 2022). The Command brings together three core functions under a single two-star military commander: conducting day-to-day space operations, developing and training the defence space workforce, and delivering space capability and equipment programmes (UK, 2022).

UK Space Command operates within a broader defence and governmental space governance architecture. Official doctrine confirms that military space policy and strategy remain the responsibility of the Ministry of Defence Space Directorate, while UK Space Command concentrates on command, capability delivery, and operational integration (UK, 2022). The Command also maintains close institutional links with UK Strategic Command, the Defence Science and Technology Laboratory, and the UK Space Agency, reflecting an explicitly integrated civil–military approach to space activities (UK, 2022).

From an institutional design perspective, the UK model differs fundamentally from the United States' statutory approach. Space capability is concentrated within a joint command structure embedded in existing defence hierarchies, without the creation of a new armed service by legislation. Authority and responsibility are consolidated through command arrangements, policy guidance, and doctrine rather than through formal service-level separation. This places the United Kingdom firmly within a command-centred model of military space governance, in which legal and organisational coherence is achieved through integration rather than institutional proliferation.

2.4. European Union and Selected Member States: Programme Governance and National Defence Arrangements (Governance–Hybrid Model)

At the European Union level, the institutional framework relevant to space activities is primarily civilian and programme-oriented. The core binding legal instrument in the present context is Regulation (EU) 2021/696, which establishes the Union Space Programme and the European Union Agency for the Space Programme (EUSPA) (European, 2021). The Regulation sets out governance arrangements for EU space programmes, including Galileo, EGNOS, Copernicus, and GOVSATCOM, and defines the roles of EU institutions, Member States, and EUSPA within that framework. It does not establish military command structures or armed forces functions at the EU level.

The security and defence relevance of space is addressed at the EU level through policy instruments rather than through the creation of military institutions. The EU Space Strategy for Security and Defence, adopted as a Joint Communication to the European Parliament and the Council (JOIN 2023) 9 final), articulates a strategic approach to space as a domain of growing security relevance while remaining situated within the Union's competence framework (European, 2023). As a policy document, the Strategy does not create binding obligations or operational command arrangements, but it seeks to enhance coordination, resilience, and coherence across civil, commercial, and defence-related space activities at the EU level.

Defence and military organisation in space, therefore, remain primarily within the competence of the Member States. The sources cited in this article indicate that national defence arrangements may include specialised commands or structures responsible for military space activities, developed in accordance with domestic constitutional and administrative frameworks. France maintains a dedicated Commandement de l'Espace within its armed forces, with defined organisational responsibilities for military space activities (Ministère, 2025). Italy has established the Comando delle Operazioni Spaziali (COS), which functions as a national military command structure for space operations (Ministero, 2020).

Taken together, the EU and Member State arrangements reflect a governance–hybrid model. At the Union level, space governance is organised through regulatory programmes and strategic policy coordination, without the creation of supranational military command structures. At national level, Member States retain discretion to establish military space commands or other defence-specific institutions. This division underscores that, within the EU legal order, military space governance is characterised by civilian-led programme regulation at the supranational level combined with nationally determined defence structures.

3. Institutional Choice and Legal Sequencing in Ukraine's Military Space Governance

Taken together, the cited comparative models demonstrate that states have adopted markedly different institutional pathways for organising military-related space activities. The United States has established a separate armed service by statute, creating the United States Space Force (United States Congress, 2019). China, by contrast, has pursued reorganisation and centralised subordination under the Central Military Commission, including the dissolution of the Strategic Support Force and the establishment of new forces and service “arms,” such as the Aerospace Force and the Information Support Force (U.S., 2024; Center, 2024). The United Kingdom has opted for a joint command model, assigning leadership for defence space operations, workforce, and capability to UK Space Command (UK, 2022). At

the European Union level, space-related security and defence issues are addressed through programme governance established by binding regulation and complemented by strategic policy communication, while Member States retain responsibility for their own national defence structures, including dedicated space-related commands (European, 2021; European, 2023; Ministère, 2025; Ministero, 2020).

These variations are directly relevant to the Ukrainian debate because they demonstrate that the establishment of “Space Forces” represents only one possible institutional configuration among several legally viable options. The comparative evidence therefore frames the central analytical question of this article: whether, at the present stage, Ukraine’s emerging military space framework should be consolidated through the creation of a new branch of the Armed Forces, as envisaged by Draft Law No. 13255, or through the further development of governance mechanisms centred on the Ministry of Defence’s Space Policy Directorate.

Ukraine’s current trajectory in the military space domain is characterised by the parallel emergence of these two approaches. On the one hand, the Ministry of Defence has established the Space Policy Directorate and defined it as a centre of expertise intended to consolidate internal and external capabilities, develop regulatory and legal frameworks, and coordinate across a broad range of stakeholders in the space ecosystem (Ministry, 2025a; Ministry, 2025b). The Directorate is not presented as an operational command, but rather as a policy and coordination mechanism responsible for regulatory drafting, technological expertise, and the strategic coordination of space-based support for defence needs, including engagement with international and commercial providers. The Ministry has further indicated that the Directorate will be funded through internal reallocation within the existing defence budget and will not affect the overall size of the Armed Forces (Ministry, 2025b).

On the other hand, Draft Law No. 13255 proposes a succinct amendment to the Law of Ukraine “On the Armed Forces of Ukraine” by adding “Space Forces” to the statutory list of branches of the Armed Forces (Verkhovna, 2025a). The explanatory note presents this initiative as necessary to enable Ukraine to acquire organisational, institutional, legal, and military-technical capabilities to counter threats characterised as originating “from outer space” and explicitly links the proposed establishment of Space Forces to the earlier creation of the Space Policy Directorate (Verkhovna, 2025b). At the same time, the draft law itself does not define mandate, functions, command arrangements, or oversight mechanisms, while the explanatory note records the absence of public consultations and anticorruption expertise in the legislative process (Verkhovna, 2025b).

Read together, these instruments do not simply express a policy preference for expanded space capability. They raise a question of institutional design and legal sequencing: whether the Ukrainian framework should prioritise the creation of a new service branch or the consolidation of governance structures capable of producing legal clarity, coordination, and accountability in a domain characterised by technical complexity and legal uncertainty.

International law does not determine domestic institutional form, but it does shape the requirements that national governance arrangements must satisfy. The Outer Space Treaty permits military uses of outer space, subject to specific prohibitions and to the overarching constraints of the UN Charter, including the prohibition on the use of force, as incorporated in Article III (United, 1967). Scholarly analysis highlights persistent uncertainty surrounding dual-use systems, non-kinetic interference, attribution, and proportionality in the space domain (Freeland, 2016; Pobjie, 2024). These characteristics translate into concrete domestic governance demands: institutional arrangements must be capable of supporting lawful

decision-making in situations where legal thresholds are contested, and operational effects may be difficult to predict or control.

Comparative experience underscores that institutional durability depends less on formal labels than on coherence between institutional structure and regulatory substance. Where states have created separate armed services, this choice has been supported by explicit legislative architecture. Where governance-based or command-based models prevail, competence has been concentrated within detailed policy and administrative frameworks that coordinate actors, allocate responsibility, and ensure accountability. Against this background, the Ukrainian Space Policy Directorate appears, based on the available sources, to be the most developed institutional instrument currently in place. By contrast, Draft Law No. 13255 introduces a significant structural category without yet supplying the legal detail ordinarily required to operationalise civilian control, oversight, and inter-institutional coordination. The resulting asymmetry reinforces the importance of legal sequencing: the order in which governance capacity and structural reform are pursued matters for the coherence and legitimacy of the resulting framework.

Conclusions

This article examines whether the establishment of Space Forces is a legal necessity for Ukraine or whether a governance-oriented approach offers a more appropriate public law framework at the present stage of institutional development. The analysis demonstrates that Ukraine's engagement with the military space domain is unfolding along two parallel but insufficiently aligned tracks: the creation of a governance-focused Space Policy Directorate within the Ministry of Defence and a legislative initiative to formally add Space Forces as a new branch of the Armed Forces.

International space law does not mandate any specific domestic institutional model. What it does require is that military space activity be conducted within a legal environment marked by general international law constraints, technical uncertainty, and the pervasive dual-use character of space systems. In such a setting, domestic institutional effectiveness depends less on organisational symbolism than on the capacity to generate legally constrained, coordinated, and accountable decision-making.

Comparative practice confirms that states have adopted diverse institutional solutions, ranging from separate service branches to command-based and governance-centred arrangements. The decisive factor across these models is not formal structure, but the degree to which institutional form is supported by detailed regulatory architecture capable of allocating competences, ensuring oversight, and managing interaction with civilian and commercial actors.

Against this background, the Space Policy Directorate represents the most legally mature element of Ukraine's current framework. Its defined focus on regulatory development, coordination, and expertise directly addresses the governance challenges associated with military uses of outer space. By contrast, the proposed establishment of Space Forces, while not legally impermissible, currently lacks the legislative detail required to operationalise civilian control, accountability, and inter-institutional coherence.

The central conclusion is therefore one of sequencing rather than rejection. A governance-first approach – consolidating regulatory capacity, clarifying competences, and embedding accountability mechanisms – offers a more robust public law foundation for any future structural reform. In the military space domain, where legal uncertainty and strategic risk are

inherent, institutional effectiveness is more likely to be achieved through careful governance design than through premature organisational proliferation.

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