Practice of States and international organisations in registering the transfer of ownership of space objects

Mildred Trögeler
European Space Policy Institute
Setting the scene

- **2004**: The UN COPUOS LSC started a work plan on the “Practice of States and international organisations in registering space objects“.

- **2005**: Examination by a working group of the reports submitted by Member States and international organisations in 2004.

- **2006**: Identification of common practices and drafting of recommendations for enhancing adherence to the Registration Convention.

- **2007**: Report to the COPUOS.

- **UNGA Resolution 62/101** of 17 December 2007 on “Recommendations on enhancing the practice of States and international intergovernmental organisations in registering space objects“.
The concept of transfer of ownership

Three scenarios:

1. Transfer of ownership **within a launching State**

2. Transfer of ownership **between launching States**

3. Transfer of ownership **to a non-launching State**
State practice

- UK Registry:
  - Asiasat-1
  - Asiasat-2
  - Apstar-1
  - Apstar-1A
- Launched in China

- UK ceased to be the State of Registry
- China is recorded as the State of Registry

- Remark in the UN Register: “Registered by the UK in SER.E/… removed from UK Registry in SER.E/… State of Registry is China.”

- To note: special circumstances involving the transfer of territory between 2 launching States.
BSB-1A is still in the UK Registry with the explanation that “notified UN on 1 February 1999 that title and control of the satellite had been transferred to a Swedish national… Now operated as SIRIUS and carried on Swedish Registry.”
UN GA (A/AC. 105/806) and (A/AC.105/824):

- The Netherlands does not consider itself the “Launching State”, “State of Registry”, or “launching authority”.
- Following the transfer in orbit of ownership, the Netherlands bears international responsibility for their operation in accordance with article VI and has jurisdiction and control over them in accordance with article VIII OST.
Recommendations

• Extensive and sensitive interpretation of the space law treaties in light of recent commercial developments

• Creation of legal certainty through governmental agreements on indemnification

• Important role of national legislation to authorise and continuously supervise private space activities

• Submission of more accurate and updated information to the national registry and the UN Register in case of a transfer of ownership
Thank you for your attention

mildred.troegeler@espi.or.at