Status and Application of International Space Law in the States of Post-Soviet Area

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Map of the USSR before Dissolution

Soviet Space Activities and Space Law

- USSR possessed advanced space industry and was a pioneer in space research;
- About 140 enterprises and research institutions were directly involved in space-related activities;
- Soviet space activities were developed within the framework of the single (All-Union) economic complex. Most of fifteen soviet republics had their segment in this complex. However, they were only the "cogwheels" of a single mechanism controlled from the Centre in space-related production and research, space launches and maintenance of relevant infrastructure;
- Space activities were among the few most important sectors under the exclusive and comprehensive jurisdiction of the Union;
- State's activities and control in the area was exercised through Union-level ministries and agencies only;
- The same principle was applied to ownership relations in the space area, e. g. intellectual property rights. This property was considered as sole and indivisible.

Retrospective Analysis of USSR Participation in UN Treaties Related to Space Activities

Title of the Treaty	Date of signature	Date of ratification
Treaty on Principles Governing the activities of States in the Exploration and use of Outer Space (Outer Space Treaty),1967	27.01. 1967	10.10. 1967
Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (Rescue Agreement), 1968	22.04. 1968	03.12. 1968
Convention on International Liability for Damage Caused by Spaces Objects (Liability Convention), 1972	29.03. 1972	09.10. 1973
Convention on Registration of Objects Launched into Outer Space (Registration Convention), 1975	17.06. 1975	13.01. 1978

PRINCIPLES OF DIVISION

SUCCESSION	CONTINUITY
USSR — 15 NEW INDEPENDENT STATES	USSR — RUSSIAN FEDERATION

New Independent States of Europe, Central Asia, and Caucasus Established after Dissolution of USSR

- Azerbaijan
- Armenia
- Belarus
- Georgia
- Kazakhstan
- Kyrgyzstan
- Republic of Moldova
- Russian Federation
- Tajikistan
- Turkmenistan
- Ukraine
- Estonia
- Latvia
- Lithuania

CIS Agreements Related to Principles of Space Property Division and Future Common Space Activities of New Independent States

Agreement on Mutual Recognition of Rights and Regulation of Ownership Relations	9 October 1992, Bishkek
Agreement on Order of Maintenance and Use of Space Infrastructure Objects for Fulfillment of Space Programmes	15 May 1992, Tashkent
Agreement on Common Activities in the Field of Exploration and Use of Outer Space	30 December 1991, Minsk

•CIS Agreement on Order of Maintenance and Use of Space Infrastructure Objects for Fulfillment of Space Programmes

Signed by the Governments of:

- Republic of Azerbaijan,
- Republic of Armenia,
- Republic of Belarus,
- Republic of Kazakhstan,
- Republic of Kyrgyzstan,
- Russian Federation,
- Republic of Tajikistan,
- Turkmenistan,
- Republic of Uzbekistan,
- Ukraine.

Principal points:

- Space infrastructure located on the territory of Parties is recognized as the property of these States;
- Right to use immovable assets and movable property of the objects shall be transferred to the Administration of Space Facilities of the CIS on the basis of special agreements;
- Intergovernmental Space Council for coordination of space infrastructure use was established;
- Parties has right to develop their own space programmes.

Distribution of Intellectual Property Rights

- Issues of intellectual property rights distribution were resolved at the level of bilateral intergovernmental agreements;
- E.g., Ukrainian-Russian Agreement on Co-operation in the Field of Industrial Property Protection

(30 June 1993)

CIS agreements and other documents on order of "continuity": USSR – Russian Federation

Agreement on Continuity of Foreign State Debt and Assets of the Former Soviet Union	**4 December 1991, amended 13 March 1992**
Agreement on Property of the Former Soviet Union Abroad	**30 December 1991**
Agreement on Distribution of Property of the Former Soviet Union Abroad	**6 July 1992**
Statement of "Twelve" on Future Status of Russia and Other Former Soviet Republics	**23 December 1991**
Message of President Boris Yeltsin of Russia to UN Secretary General	**24 December 1991**

Membership in the UN Committee on the Peaceful Use of Outer Space

Russian Federation	From 1958
Republic of Kazakhstan	From 1994
Ukraine	From 1994

UN Outer Space Treaties

Azerbaijan					
Armenia					
Belarus	**R**	**R**	**R**	**R**	
Georgia					
Kazakhstan	**R**	**R**	**R**	**R**	**R**
Kyrgyzstan					
Moldova					
Russian Federation	**R**	**R**	**R**	**R**	
Tajikistan					
Turkmenistan					
Ukraine	**R**	**R**	**R**	**R**	
Uzbekistan					

Ukraine has bilateral agreements on research and use of outer space with

- Russian Federation
- United States of America
- Republic of Kazakhstan
- People’s Republic of China
- Republic of Turkey
- Federative Republic of Brazil
- State of Israel

Administrations for Space Activities in New Independent States

Russian Federation	Federal Space Agency (Roskosmos)	1992 (2004)
Ukraine	National Space Agency	1992
Kazakhstan	Aerospace Committee of the Ministry of Education and Science, National Company Kazakhkosmos	1995 2005
Belarus	National Council on Outer Space under the Council of Ministers	1999
Azerbaijan	National Air and Space Agency ANASA)	1992
Uzbekistan	Uzbek State Agency on Space Exploration Uzbekkosmos, Center on Space Explorations of the Academy of Sciences	1992-2002 2002
Georgia	Space Agency under the Ministry of Transport and Communications	2003

National Space Legislation in New Independent States

Separate space-related acts

- Russian Federation: Federal Law *On Space Activities* of 20 August 1993 (with amendments)
- Ukraine: Law *On Space Activities* of 15 November 1996 (with amendments)

National Space Programmes

- Federal Space Programme of the Russian Federation
- National Space Programme of Ukraine for the Years 2003-2007
- State Programme *Development of Space Activities in the Republic of Kazakhstan for the Years 2005-2007*
- Joint Belarusian-Russian Programme *Kosmos SG* (2004-2007)