Outcome of the Legal Subcommittee Working Group on National Space Legislation

United Nations/Argentina Workshop on Space Law
Buenos Aires, 5-8 November 2012

Niklas Hedman
United Nations Office for Outer Space Affairs

Report of the Working Group on National Legislation Relevant to the Peaceful Exploration and Use of Outer Space on the work conducted under its multi-year workplan

A/AC.105/C.2/101

Overview

- Broad picture of how States regulate their national space activities provides valuable information for other States in their efforts to establish a domestic regulatory framework
- Exchange of information on national legislation allows to examine developments taking place at the national level and to identify common principles, norms and procedures
- Identification of issues dealt with in national regulatory frameworks
- Information about domestic regulations on space debris mitigation and the protection of the Earth environment
- Different legal systems represented by either unified acts or a combination of national legal instruments dealing with different aspects of space activities

Previous documentation for consideration of the Working Group

- Note by the Secretariat from 2001 on authorization and supervision of non-governmental entities in outer space, A/AC.105/C.2/L.224 (review of legislation in Argentina, Australia, Japan, Russian Federation, South Africa, Sweden, Ukraine, United Kingdom, United States)

- Report of the Secretariat from 2002 on State practice in applying the concept of the "launching State", A/AC.105/768 (including launch systems and ventures, jurisdiction, safety, liability, indemnification procedures, registration of launches, practice of international organizations)

Groups of findings

- Reason for States to enact national space legislation or the reason for the absence of such legislation
- Scope of space activities targeted by national regulatory frameworks
- Scope of national jurisdiction over space activities
- Competence of national authorities in the authorization, registration and supervision of space activities
- Conditions to be fulfilled for registration and authorization
- Compliance and monitoring
- Regulations concerning liability
- Regulation by States of transfer of ownership of space objects and of transfer of authorized space activities to third parties
- The participation of private individuals in space flights and the treatment in service-provider contracts of issues of liability and responsibility for collisions of satellites in outer space

Findings: The case of national coordination

- Need to achieve consistency and predictability in the conduct of space activities under the jurisdiction of the State. Need for national coordination.

- Different national authorities involved, ranging from space agencies and other similar authorities up to ministerial-level authorities. In some cases, involvement of different governmental entities for different activities requiring a licence. In some cases, separate procedures for the licensing of operators conducting space activities and for the authorization of specific projects and programmes.

Regulative categories (Annex to the report)

- Scope of application
- Authorization and licensing
- Safety
- Continuing supervision of activities of non-governmental entities
- Registration
- Liability and insurance
- Transfer of ownership or control of space objects in orbit

THANK YOU

United Nations Office for Outer Space Affairs

Fax: +43 1 26060 5830

oosa@unoosa.org

www.unoosa.org