



Ministry of Economic Affairs
and Employment of Finland

Finland's Statement in the 60th session of the Legal Subcommittee of the UN Committee on the Peaceful Uses of Outer Space Vienna, 31 May – 11 June 2020

Agenda Item 7 – National Legislation Relevant to the Peaceful Exploration and Use of Outer Space

Thank you Madame Chair, Good afternoon,

The importance of national space laws as elements of space law governance is increasing for example in view of what is referred to as 'NewSpace', a term describing the growing commercialization and democratisation of space activities. Commercial actors, public-private ventures, and new States become more and more involved in space activities, translating into more actors, more activities, and more diverse interests than ever before. The role of national laws is further emphasised by their bridging role between international and domestic law, and between legal obligations and 'soft law'. In particular, norms of non-legally binding character are 'incorporated' in national space laws as requirements for authorization.

Voluntary international cooperation and information exchange among States as national regulators enables better coordination of these relationships and their consequences, and ensures that space activities are carried out with certain degree of unity and coherence. This is also the spirit of the LTS Guidelines. At best, the sharing best practices from implementing the international obligations promotes sustainability and safety of space activities as well as the development of international space law by elevating the knowledge base and coherence amongst the spacefaring States at international level. In relation, we wish to congratulate UN OOSA for their work in the Space Law for New Space Actors project, which offers United Nations Member States tailored capacity building to help them draft national space legislation.

Madame Chair,

The Finnish national space law, Act on Space Activities and the supplementing Decree, came into force in January 2018, and at around the same time the first commercial space mission, ICEYE X-1, an earth observation microsatellite, was launched. This, and other on-going or planned upstream space activities by companies and scientific institutions, were the most important consideration as to why the Finnish Government needed to set up a legal framework - to be able to authorize and supervise the non-governmental space activities, in accordance with its international obligations.

The law was enacted with the objective that having a clear normative framework would provide clarity and certainty to the national operators, and thus to support the commercial and societal interests, while also including provisions allowing the State with possibilities to recover any damages paid at international level. The Ministry of Economic Affairs and Employment was nominated as the authority to monitor, manage and supervise the national space activities. It is also the authority responsible for licensing process, supervising national activities, and for the national registry of space objects.

The aim of the legislation on space activities is to create a predictable and clear operating environment for operators to carry out space activities in Finland. The starting point is a positive attitude towards the operation of space activities. There is no reason to impose restrictions on the activities if the safety of the activities and other conditions for granting the authorization can be ensured.

Madame Chair,

Finland would like to inform the Legal Subcommittee on the developments of its national space legislation adopted in 2018.

To develop the legal framework, the Ministry of Economic Affairs and Employment established in March 2021 a ministerial working group to assess the need to regulate distribution and use of satellite data, taking in particular into consideration the balance between the possible national or international security interests and commercial interests. It is foreseen that the scope of regulation would include regulation of remote sensing activities and ground station activities.

Moreover, certain changes were adopted in the technical decree concerning the requirement to take out insurance for the in-orbit phase. The requirement to take out insurance is important from the State's liability point of view, however this needs to be balanced with the will to promote private activities, provided that they are carried out safely and sustainably.

According to the Act, the Ministry of Economic Affairs and Employment may waive the requirement for insurance. That is the case if the space object is covered by the insurance of the launch service provider, or if on the basis of the assessment of the risks of space activities, the risk of damage caused by space activities on the ground, in air and in space is acceptable to the Ministry of Economic Affairs and Employment.

Changes were made to the conditions under which the Ministry of Economic Affairs and Employment could waive the requirement for insurance referred to in the Act on Space Activities. Waiver of the insurance requirement can be made if, based on an assessment of the risks of space activities, the risk of a space object colliding with another space object in orbit is less than 1:1,000 and the probability that the space object or its components will not burn in the atmosphere is less than 1:10,000. The first value would concern the risk of collision with another space object of at least ten centimeters in diameter in orbit, and the second value would concern the likelihood of personal injury related to the return of the space object or its parts to the ground.

Thank you Madame Chair, and thank you distinguished Delegates for your attention.