

Sixty-second Session

of the Legal Subcommittee

of the Committee on the Peaceful Uses of Outer Space

Agenda item 7

National legislation relevant to the peaceful exploration and use of outer space

Statement by Mr. Philip Bittner, Austria

24 March 2023

Madam Chair,

Austria is a **State party to all five UN Space Treaties**. In order to fulfil its international obligations under the Treaties, Austria developed and adopted **national space legislation, the Austrian Outer Space Act of 2011**. In 2015, the Outer Space Regulation followed which elaborates further on the Austrian Outer Space Act and sets out the authorization requirements.

We are gaining experience in the implementation of the act:

In 2017, the Austrian built satellite **PEGASUS** was authorized under the Austrian Outer Space Act. The student satellite **explores the thermosphere**. It is part of the project QB50, a network of 36 nanosatellites built by university teams all over the world.

Earlier this year, the formal authorisation process for another satellite was successfully completed. **The nanosatellite PRETTY (Passive Reflectometry and Dosimetry) will measure glacier and sea level heights** and thus will **contribute to climate research**. The spacecraft was delivered to the launch provider and will be lifted into a Low Earth Orbit in the first half of 2023.

The Austrian Space Regulation section 6 para. 4 regulates the obligation of the responsible Federal Ministry for Climate Action (responsible for Space Affairs) to issue a **registration certificate for a space activity to the applicant after the launch and successful national registration**. Subsequently, Austria reports to the UN Office for Outer Space Affairs the parameters set out in the **Convention on Registration of Objects Launched into Outer Space / Registration Convention from 1974**.

In accordance with section 9 of the Austrian Outer Space Act, a **national space register has been established**, thus implementing Article II paragraph 1 of the Registration Convention. **The register is available online and excerpts** can be downloaded from the website of the Ministry.

For the sake of completeness, we would like to mention that **several other satellites** built as a whole or partly by Austrian stakeholders have not been authorized under this act due to several reasons: **TUGSAT-1 / BRITE-Austria** and **UniBrite** satellites transmit data of very bright stars. These first Austrian satellites have been exempted from authorization, as they had been built before the entry into force of the Austrian Outer Space Act.

The cubesat **OPS-SAT tests and validates new techniques in mission control and on-board systems**. ADLER-1 is an **operational cubesat detecting high-velocity particles in Low Earth Orbit**. National space legislation was not applicable to these two cases since neither of the conditions set out in section 1 of the Austrian Outer Space Act were fulfilled. Therefore, the satellites are under the jurisdiction of other countries.

Madam Chair,

With increasing space activities, **exchange of information on the implementation of the UN-Treaties into national space law** is becoming increasingly important. Therefore, we appreciate that UNOOSA has established a **national space law database**, showing various national space laws also in English.

In this context, the **adoption of the 21 Guidelines on the Long-term Sustainability of Outer Space in 2019** was a great achievement of COPUOS. Austria welcomes the establishment and successful start of the work of this **Working Group LTS 2.0**. Austria has delivered a **national report** on the implementation status of the guidelines to the Working Group (Conference Room Paper A/AC.105/C.1/2023/CRP.19).

According to Austria's analysis, **many practical legal questions** arise in respect to **authorisation and respective authorisation procedure**. Therefore, it would be desirable to receive **practical guidance** on several topics, such as:

- Risk assessments for possible damage
- Exemplary calculations of the minimum insurance sum required for specific missions for different satellite sizes
- Incentives for sustainable design
- Ongoing assessment of orbital risks
- An overview of insurance companies that insure satellites would be desirable

The active engagement of an increasing number of Member States within the Working Group shows that **Member States recognize the need for action** and the **necessity to address this issue at multilateral level** in order to achieve **practical guidance for current and emerging challenges** in this context. We look forward to the further work of the Working Group and **practical outcomes like the planned repository on information sharing** to facilitate our work in implementing the Guidelines.

In concluding, let me underline that the Austrian delegation will **continue to provide strong support to the work of UNOOSA, UNCOPUOS and this Legal Subcommittee** as the

prime international platform for multilateral cooperation on the development of international rules to govern peaceful space activities.

Thank you!