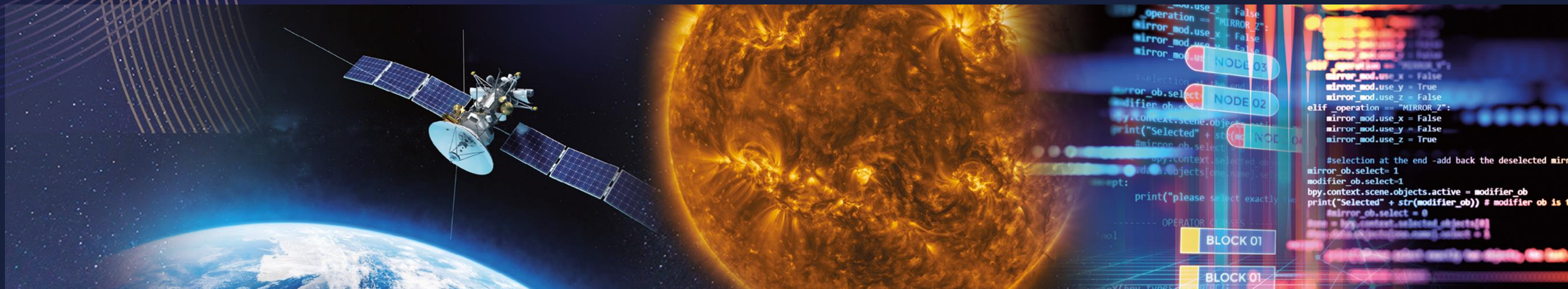


# South Africa's Legal Framework for Space Sustainability

UN/IAF Workshop 2024 , Milan , Italy

Lulu Makapela, National Earth Observations  
and Space Secretariat (NEOSS), CSIR, South Africa

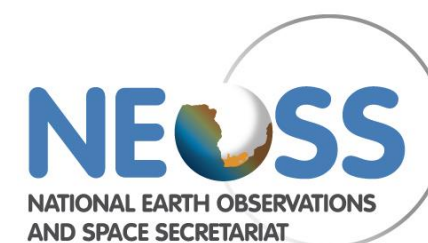


<https://www.unoosa.org/oosa/en/ourwork/psa/schedule/2024/un-iaf-workshop.html>



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# Overview of South Africa's Space Legal Framework

## HARD LAW

### Commitment to Space Sustainability

- South Africa is deeply committed to ensuring the sustainable use of outer space, aligning its national framework with international space law.
- As a member of the United Nations Committee on the Peaceful Uses of Outer Space (UNCOPUOS), South Africa actively contributes to global discussions on space sustainability.

### International Legal Obligations

- South Africa has ratified four of the five key international space treaties:
  - **Outer Space Treaty, Liability Convention, Registration Convention, and Search and Rescue Agreement**
- These treaties set the foundation for responsible space activities, particularly focusing on safeguarding the space environment.

### National Space Laws

- South Africa's national **legal framework predated many of the global sustainability initiatives** but has since evolved to address these issues.
- Key National Space laws and policies include:
  - **Space Affairs Act (1993), National Space Agency Act (2010), National Space Policy (2008), National Space Science and Technology Strategy (NSST), 2008, and South African Earth Observation Strategy (SAEOS), 2007**
- These laws ensure compliance with international treaties while promoting responsible space operations that minimise contamination and reduce space debris risks, reflecting the country's commitment to sustainability.



# Implementation of Soft Law for Space Sustainability

## SOFT LAW

### Non-Binding Guidelines Integration

- Although many international space sustainability guidelines are non-binding, South Africa makes an effort to consider them and integrate them into its licensing framework and procedures.
- This proactive approach ensures that South Africa stays aligned with global best practices, even in the absence of formal legal obligations.

### Key Soft Law Instruments

- **Inter-Agency Space Debris Coordination Committee (IADC) Space Debris Mitigation Guidelines, ISO 24113 Space Systems – Space Debris Mitigation, UNCOPUOS Space Debris Mitigation Guidelines and Long-Term Sustainability (LTS) Guidelines**

### Space Licensing and Compliance

- South Africa's space licensing process rigorously evaluates applications based on legal, financial, safety, and environmental criteria. Key aspects include:
  - **License Approval:** Applicants must demonstrate compliance with safety standards and environmental laws.
  - **Compliance Monitoring:** The South African Space Council conducts continuous oversight of space missions, including mandatory lifecycle reporting from launch to disposal.



# Future Legal Developments

## KEY INSIGHTS AND TAKEAWAYS

### Review of the Legal Framework

- South Africa is actively reviewing its existing space legislation, particularly the **Space Affairs Act (1993)**, to incorporate emerging trends and developments in space law, with a focus on sustainability.
- Key areas for future enhancement include:
  - **Integration of International Soft Law:** Incorporating non-binding global standards into national regulations.
  - **Environmental Focus:** Strengthening the legal framework around space debris mitigation and sustainability in space missions.
  - **Licensing Process Enhancements:** Reinforcing requirements for space operators, ensuring higher sustainability thresholds.
  - **International Cooperation:** Deepening collaboration with global space governance bodies to align with evolving international standards.

### Formation of a New Space Council

- To further ensure oversight and compliance, South Africa is in the process of appointing a new **Space Council**. This body will play a key role in overseeing national space activities, ensuring they adhere to sustainability principles and contribute to environmental protection in outer space.

In summary, space sustainability can be effectively achieved by adhering to the United Nations space treaties, enforcing national space law, and implementing robust licensing procedures. These combined efforts ensure responsible use of space and protect the space environment for future generations.



# THANK YOU



**National Space Conference (NSC), 2024**

Theme: **Space science and Innovation for Sustainability**

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