

**United Nations Space Law Conference
Emerging Issues In Space Law And Policy - Perspectives For African Nations**

Legal Regimes of Aviation, Space and Telecommunications - A Comparison

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Presented: 8th December 2020

Contents

International Law; Public Law; and Private Law

Comparisons

Concluding Remarks

Air Law

Public International Air Law (Basic principles) Convention on International Civil Aviation

- Airspace sovereignty
- Nationality of aircraft
- Conditions for aircraft in international aerial navigation, crews and passengers
- International co-operation and facilitation

Private International Air Law - Warsaw Convention and Protocols; Montreal Convention; UNIDROIT Convention (Aircraft Protocol)

Private Air Law

Evolving Space Law

International law (Custom, Treaties, UN GA Resolutions)

National Laws adopted by individual space fairing States (Intellectual property, Contracts, Foreign Investment, Insurance, Export Controls, Telecommunications, Data Protection, etc.)

Space Law

UN GA Resolution 1962 (XVIII)

Principle 1 - Exploration and use for the benefit and in the interests of all mankind

Principle 2 - Freedom of exploration and use in accordance with international law

Principle 3 - Non- appropriation

Principle 4 - Exploration and use of outer space in accordance with international law, and Charter of the United Nations

Principle 5 - International responsibility for national activities in outer space

Principle 6 - Cooperation and mutual assistance

Principle 7 - Jurisdiction, control and Ownership

Principle 8 – International liability for damage

Principle 9 - Astronauts as envoys of mankind

1967 Outer Space Treaty

Exploration and use for the benefit and in the interests of all mankind – **Article I**

Principle of non-appropriation - **Article II**

Compliance with International Law and Charter of the United Nations – **Article III**

Weapons of mass destruction - **Article IV**

Astronauts as envoys of mankind - **Article V**

Responsibility for national activities in outer space - **Article VI**

International liability for damage - **Article VII**

Jurisdiction, control and ownership - **Article VIII**

Cooperation and mutual assistance – **Article IX**

Installations on the Moon and other celestial bodies - **Article XII**

Comparisons

Air Law

Airspace sovereignty

Treaty implementation (standards & procedures)

International Law; Public Law; and Private Law

Civil Uses

Space Law

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General legal rules and principles

Public International Law; Public Law

Civil and Military Uses

Space Radiocommunications (I)

Principles and Regulations - Constitution of the ITU; Convention of the ITU; ITU Radio Regulations

- frequency spectrum allocations to radiocommunications service categories
- establishing rights and obligations of States in obtaining access to spectrum/orbit resources
- international rights recognition, recording frequency assignments and orbital information on GSO / NGSO space stations, in Master International Frequency Register, or by their conformity with a Plan

Space Radiocommunications (II)

ITU World Radiocommunications Conference 2023 Agenda Items (Space related)

- 1.2 IMT in 3/6/7/10 GHz
- 1.3 Mobile Service in 3600-3800 MHz in Region 1
- 1.4 HIBS in IMT bands below 2.7 GHz
- 9.1 c) IMT in bands of the Fixed Service
- 1.6 Regulatory provisions to facilitate sub-orbital vehicles operation
- 1.8 Use of FSS networks by CNPC of UAS
- 1.15 GSO FSS earth stations on aircraft and vessels in 12.75-13.25 GHz
- 1.16 NGSO ESIMs in Ka-band
- 7 Improvements to satellite procedures
- 9.2 Difficulties or inconsistencies encountered in application of the Radio Regulations
- 9.3 On action in response to Resolution 80
- 1.17 New Inter-satellite service allocations for inter-satellite links
- 1.18 New MSS allocations for narrow-band mobile satellite systems
- 1.19 New primary FSS allocation in 17.3-17.7 GHz in Region 2

Concluding Remarks

Autonomy

Interrelationships

Lessons Learned and Experiences

Progressive Development