

Developing a Provisional Draft of the Brazilian National Legislation for Space Activities: a Non-governmental Initiative



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This experience has been under way since the beginning of 2013 at the Brazilian Association of Air and Space Law (SBDA) at its Centre of Space Law Studies (NEDE)

Outline

- Brazilian Association of Air and Space Law (SBDA)
- SBDA publications
- SBDA events
- Centre of Space Law Studies (NEDE)
- Working group
- Sources for the provisional draft
- Brazilian National Plan for Space Activities (PNAE 2012-2021)
- Key provisions of the draft
- The way forward

The Brazilian Association of Air and Space Law (SBDA)

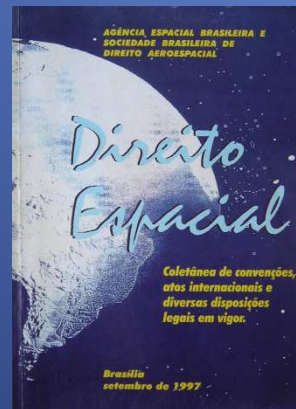
- Founded in 1950 and declared of public interest in 1952
- Non-profit civil organization
- Sole Brazilian association dedicated to the study and diffusion of air and space law
- Members are individuals, public and private institutions in the field of air and space law
- Objectives: studying, researching, publishing, and promoting conferences, events and courses

SBDA publications

- Specialist magazine: “Revista Brasileira de Direito Aeronáutico e Espacial”, since 1951



- Books





SBDA events



- Assisted in the organization of the finals of Manfred Lachs Space Law Moot Court competition promoted by the International Institute of Space Law (IISL) at the International Astronautics Congress (IAC) in Rio de Janeiro in 2000.
- Helped organize the UN Workshop on space law in Rio de Janeiro in 2004.



Source:<http://www.guesttoguest.com/blog/en/10-things-to-do-in-riojaneiro/>

Centre of Space Law Studies (NEDE)

- Group of Experts under the leadership of Professor José Monserrat Filho
- Members: Brazilian Space Law specialists around the world:
 - Brazil
 - Canada
 - Italy
 - Netherlands



Source: http://images.businessweek.com/ss/08/12/1230_queens_school_tour/7.htm

The working group

- Coordinator: José Monserrat Filho
- Adyr da Silva, President of SBDA
- Alexandre Dittrich Buhr
- Álvaro Fabrício dos Santos
- Ana Cristina van Oijhuizen Galhego Rosa
- Andrea Araújo de Souza
- Carla Martins
- Daniël Konrad Link
- Felipe Piletti
- Fernando Oliveira Pontes
- Juliana Macedo Scavuzzi dos Santos
- Olavo de Oliveira Bittencourt Neto
- Pedro Ivo Seixas, former President of SBDA
- Paulo Roberto Batista
- Tatiana Ribeiro Viana



Sources for the provisional draft

- International space law treaties
- “Recommendations on National Legislation relevant to the peaceful uses of outer space,” approved by the General Assembly in 2013
- ILA Sofia guidelines
- ITU instruments
- Brazilian National Plan for the Space Activities (PNAE 2012-2021)
- Law 8.854/1994 and other Administrative Acts
- Comparative approach with other national legislations
- Brazilian foreign policy conducted by the Ministry of External Relations

Brazilian National Plan for Space Activities (PNAE – 2012/2021)

- Highest priority: driving industrial progress
- Developing critical technologies
- Expanding international partnerships by prioritizing joint technological development
- Encouraging funding of public and/or private partnerships
- Improving domestic space governance integration
- Developing capacity building in space activities (Science without Borders federal program)
- **Creating a general law for space activities**
- Promoting public awareness



Source: <http://www.aeb.gov.br/>

Key provisions of the draft (I)

- Peaceful uses of outer space and national development
- General definitions
- Delimitation of outer space
- Safety, security and sustainability of outer space
- Administrative organization of Brazilian space activities
- Observance of ITU instruments
- Regulations of small satellites

Key provisions of the draft (II)

- Responsibility/liability
- Insurance
- Commercial space activities
- Registration of space objects
- Distribution of remote sensing images
- Solution of controversies
- Etc.

The way forward



- **SBDA**

- **Brazilian Space Agency (AEB)**

- **Ministry of Science and Technology**

- **Civil Cabinet of the Presidency of the Republic**

- **Brazilian National Congress**

We hope that this experience could be useful and stimulating for other countries. We invite others that wish to know more about our experience to contact us directly

Thank you!

For further information on SBDA
and its activities, please visit:

www.sbda.org.br



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