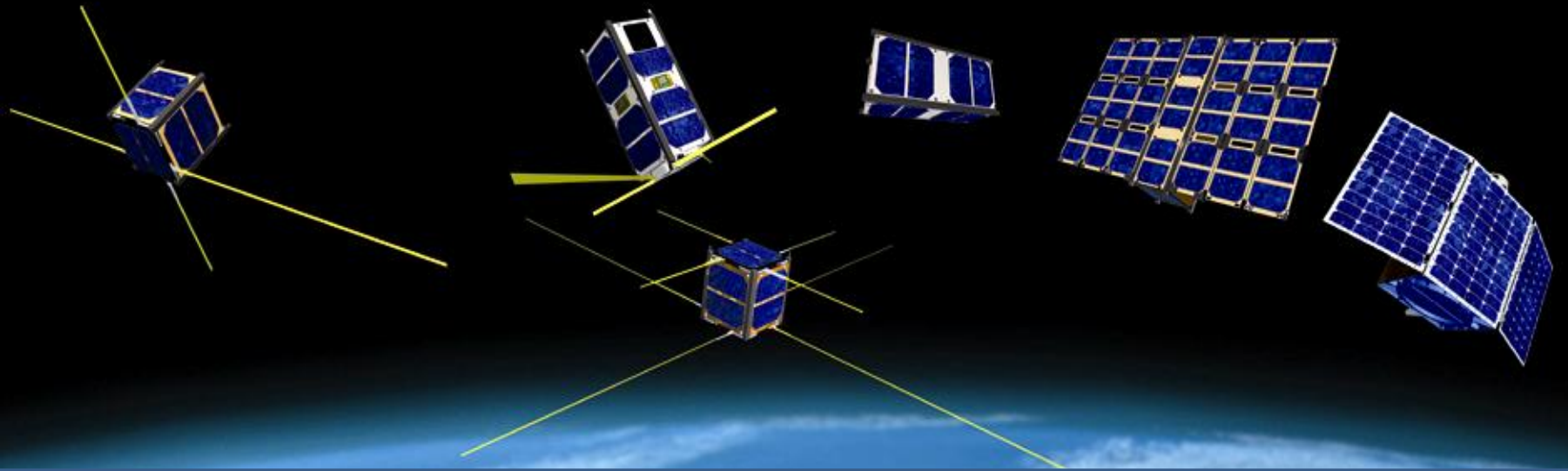


Bringing International Space Law to the Ground

Third QB50 Workshop, VKI Brussels, 02.02.2012

Neta Palkovitz (Adv.)- ISIS- Innovative Solutions In Space

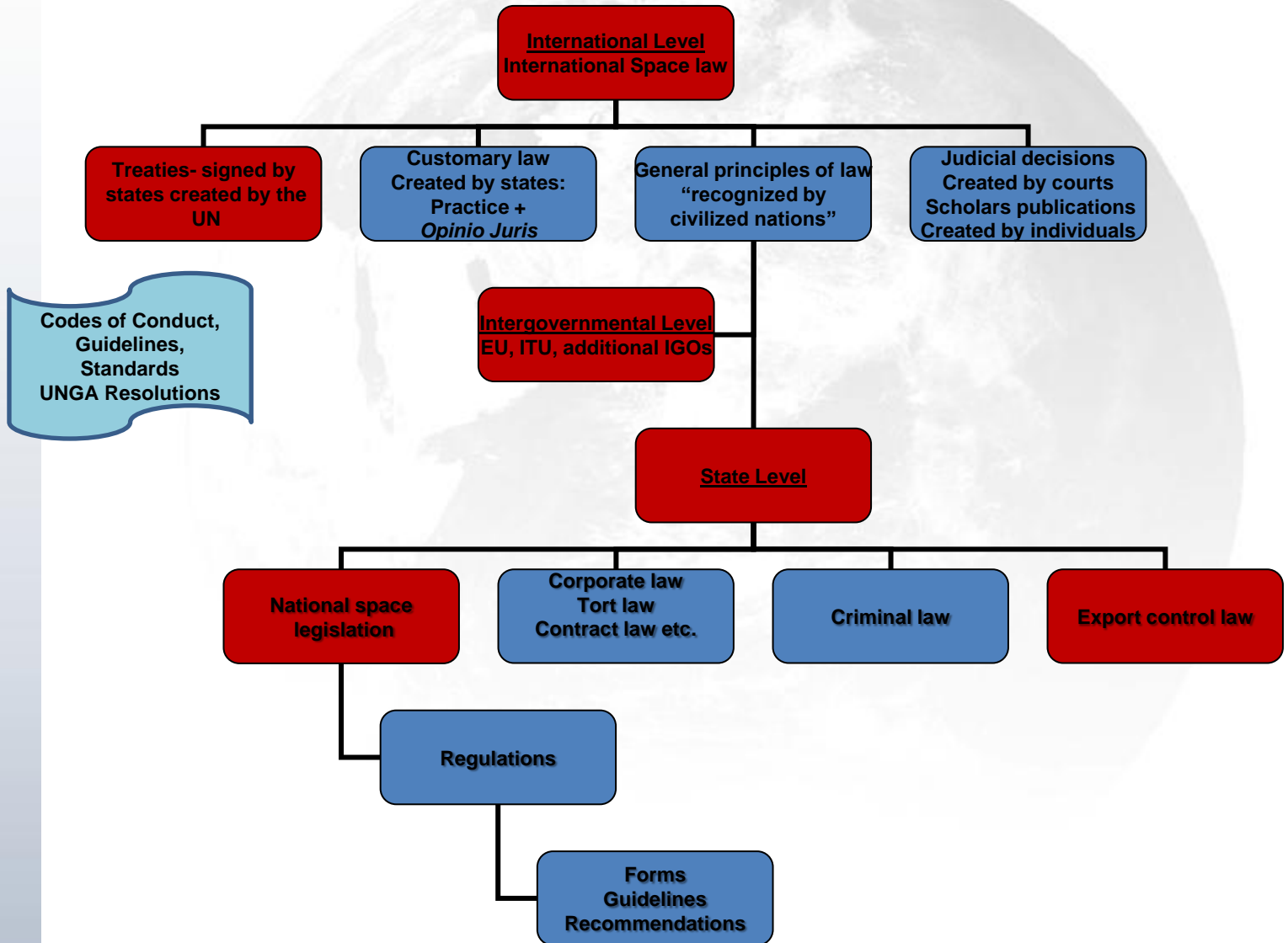




Instead of an outline- “Disclaimer”:

- This presentation is delivered in order for you to get to know the legal framework relevant to this project, focusing on your obligations as a prospective participant.
- In this early stage it is impossible to know which specific legal documents would be required.
- Your obligations may change from time to time, and from one national administration to the next.

And now, a diagram:





Primary Legal Instruments under International Law:

- Outer Space Treaty, 1967
- Liability Convention, 1972
- Registration Convention, 1975

These are applicable with respect to member states

- Is your state a member state?
- To which convention?
- What is the state's practice?



Bringing International Space Law to the Ground:

Although the Treaty and Conventions may not apply directly to you, member states are obligated to:

“[...] assuring that national activities are carried out in conformity with the provisions set forth in the present Treaty. The activities of non-governmental entities in outer space, including the Moon and other celestial bodies, shall require **authorization and continuing supervision** by the appropriate State Party to the Treaty.” (OST Art. VI).

Typically this means that in order to perform activities in outer space you will need to obtain a license (or to obtain an exemption).



Legal Instruments under Domestic Law:

National Space Laws:

Some examples:

US, Russia, UK, South Africa, Ukraine, Australia, Brazil, South Korea, Belgium, Netherlands, France, Japan and more...

Austria adopted a new law as of 6 December 2011. If not done yet, your state may adopt a national law in the near future.

➤ **No harmonization of laws.**



Legal Instruments under Domestic Law (II):

Regulations:

- National space laws may create general obligations and standards.
- Regulations, official forms and additional supporting documents may clarify which actions you will have to take in order to comply with the law.



Additional Legal Documents and Statements which may be Required:

- Statements of peaceful or non-military use
- Export permits, statements, agreements (and possibly the same with respect to re-export)
- An obligation to register the CubeSat according to applicable laws, on the national level, reporting to the UN
- Insurance
- Warranties
- ITU related documents



To Conclude:

- QB50 does not provide for technical challenges exclusively...
- In order to meet the legal challenges it is Important to know which legal instruments may apply to your CubeSat.
- Plan ahead in order to obtain all documents on time.
- In case your state does not have a national space law, or never issued a license before, it is recommended to contact the relevant authority as soon as possible.
- Get updated; regulations may change as we speak...



Thank You!

