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REGULATING REMOTE SENSING SPACE SYSTEMS IN CANADA: LINKING NATIONAL
REGULATION TO INTERNATIONAL COMMITMENTS

Abstract

In April 2007, Canada's Remote Sensing Space Systems Act entered into force establishing a mechanism regulating the operation of remote sensing space systems in Canada and those operated by Canadians abroad. In the press release announcing the introduction of the legislation, it stated that, "The legislation is aimed at protecting Canada's national security, national defence and foreign policy interests, while supporting our continued leadership in the provision of remote sensing data and services to government and private sector clients."

The legislation and the regulatory regime that it created has placed Canada at the forefront of establishing guidelines for the operation of remote sensing space systems and the dissemination of data and imagery generated by these systems. The Remote Sensing Space Systems Act is seen as a template which other like-minded states have followed in the development of their legislative and regulatory regimes. While each state regulates such systems in accordance with their own national laws and requirements there is also an important opportunity to create effective links between the national and the international that should be examined. The Canadian example is illustrative in how national law can incorporate international commitments and standards.

While the Remote Sensing Space Systems Act is Canadian domestic legislation it serves as an excellent example of how international commitments can be incorporated into domestic law in areas such as orbital debris mitigation and space traffic management or positive control . This paper will present a broad overview of the Canadian regime, and will comment where possible on how the regulation and licensing of remote sensing space systems in Canada implements commitments at the international level such as those found in the Outer Space Treaty or the Inter-Agency Space Debris Coordination Committee (IADC) Debris Mitigation Guidelines.