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INTERNET FROM THE SKY: LEGAL CHALLENGES

Abstract

The traditional government role in establishing safety regulations and certifying compliance is no longer suitable for highly advanced and fast evolving technologies. Companies like Google and SpaceX have recently set their focus on providing internet to remote areas of the world from the sky by the use of balloons, unmanned droids or a constellation of small satellites. These crafts will be flying either on an altitude that is still within the sovereign rights of the States and subject to international air law, or on Low Earth Orbit thus being subjected to international space law. Whatever the case, the legal hurdles are considerable if not insuperable. Getting permission from each concerned State to fly over their territory might prove impossible. Compliance with the ITU's Radio regulations and ensuring the absence of any harmful interference will also be a huge challenge. On that respect, coordination with all the potentially affecting parties will prove difficult to achieve. There are also questions of third-party liability in case of damage caused by those crafts and insurance requirements.