

58th IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
Interactive Presentations (IP)

Author: Mr. Ping-Yu Lin
The Netherlands, rick8874@gmail.com

BEYOND LIABILITY CONVENTION AND REGISTRATION AGREEMENT. HOW TO REGULATE
SPACE ACTIVITIES OF NON-MEMBER STATES.

Abstract

After United Nations General Assembly Resolution 2758 in 1971, Taiwan is not able to negotiate and ratify any United Nation treaties anymore. However, the space activities in Taiwan has never been stop since the first satellite of Taiwan, Formosat-1 (ROCSAT-1) was launched by National Space Organization of Republic of China (Taiwan). Formosat-6 was going to be the fifth satellite of Taiwan and the first satellite which was launched by Taiwan. This means that there will not any member-states of liability convention and registration convention to take responsibility if there is any damage made by this activity. Although Taiwanese government suspend this project in 2009, however, a space activities totally operated by a non-member state of liability convention and registration agreement might caused damage which non-one would be responsible under international space law. This purpose of this work is how to regulate the space activities of a non-member state of registration agreement and liability convention under international space law. In the methodology Taiwan's aviation activities will be mentioned first. Although Taiwan is not a member-state of ICAO, its aviation activities still followed ICAO standard and regulated by its air service agreement between other member-states of ICAO. This will figure out how the aviation activities of Taiwan is still followed international aviation law. Secondly, the work will mainly focus on whether the space activities of Taiwan can be regulated and supervised as aviation activities of Taiwan under aviation law. The work will made a comparison between International aviation law and Space Law to figure out how to regulate Taiwan's space activities as its aviation activities under international law. Third, whether Taiwan has a motivation to be complied with international space law as what Taiwan did in aviation law will be analysed from legal and economic side. Last, the result is that other member states have to make an individual agreement with Taiwan to regulate what kind of compensation and conducts have to be for Taiwan to do its space activities in case there is any damage to other states. The conclusion is that absent of current international space law to regulate non-member states' space activities is a potential dangerous to human's property and life. The solution is that Taiwan should have individual agreements with other states to regulate space activities just as its aviation activities although it will be more difficult to regulation space activities of Taiwan.