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WORKING WITH THE JAPANESE NEW REMOTE SENSING DATA ACT

Abstract

The basic principles of space law such as the freedom of use of outer space and the UN Remote Sensing Principles, grants all nations the freedom to do remote sensing activities from outer space, and although many technological difficulties exists, as a result of continuous endeavor in RD, the possible use of satellite remote sensing data is increasing in various fields, such as disaster management, global environment issues, and is expected to further increase.

The increase in the civil and commercial use of satellite remote sensing data is welcomed, however not all data would be appropriate without any restrictions. A solution in Japan is the Remote Sensing Data Act, which came into full effect on November 15th, 2017. This Act was established based on the fact that since the use of satellite remote sensing data by private actors have increased in the country, the necessity for a legal system to prevent wrongful use has emerged, as well as because a legal system is necessary to promote the new industry and services that use satellite remote sensing data. It is similar to the legislation concerning remote sensing with security concerns in a number of countries that have high resolution satellites such as Canada, France, Germany and the United States.

The Act requires an authorization for use of satellite remote sensing instruments with high resolution, and a certificate for the use of certain satellite remote sensing data, in order to ensure its appropriate handling. The Japanese Space Exploration Agency (hereinafter referred to as the“Agency”) is subject to these authorization and certificates, and the Agency has worked closely with the Cabinet Office on the application, and now gains two authorizations of the satellites, one of which is the first authorization issued based on this law.

This paper introduces the legal system in brief, and how the Agency meets this authorization scheme. Furthermore, describes the impacts of the law on the practical use of satellite remote sensing data, and issues and expectations for the future of this newborn legislation, from a point of view from a civil space agency being regulated to this Act.