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SPACE AND LISBON. A NEW TYPE OF COMPETENCE TO SHAPE THE REGULATORY  
FRAMEWORK FOR COMMERCIAL SPACE ACTIVITIES

**Abstract**

The event with perhaps one of the major repercussions for space law of the last year has precisely occurred outside the boundaries of space law. That is the entry into force of the Lisbon Treaty and with it the recognition of the competence of the European Union to potentially regulate space activities. It is well known that space legislations do not only have the capacity to shape the space market while strengthening the international position of national commercial operators but also to shape the business culture of such operators. Perhaps a more neglected regulatory area is the one composed by the set of other regulations which are not specific to space but which are applicable and often indispensable to space activities such as data regulations, standards or insurance regulations. The reach of such regulations goes far beyond space activities as covered by national legislations (launch services and satellite operations), it actually stretches to space applications and services which have a high market component and affect the daily live of citizens. All in all, those regulations have the capacity to enhance the role of space in the economy and in our societies. This paper selects a set of most representative regulatory fields which apply to space activities, identifies for which stages of space activities they are relevant and determines their impact on the development of space activities, space based applications or space based services. The paper will finally draw recommendations on how to elaborate a balanced regulatory framework which facilitates the development of space activities, applications and services while discussing how the new European competence can play a role towards such aim.