

53rd COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)  
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THE FRENCH SPACE OPERATIONS ACT IN THE INTERNATIONAL AND EUROPEAN  
CONTEXTS

**Abstract**

France adopted in 2008 its Act on Space Operations in the following context:

- France has signed and ratified the main UN Treaties related to space, which impose to States to authorize and control their national space activities, in particular those carried out by private entities ;
- France is a launching State for a wide range of important space activities: launches from the Guiana Space Centre (Ariane 5, Vega and Soyuz in the coming months). France bears the international liability for such launches when operated by French company Arianespace. France is also a launching State when French entities procure the launch of a space object (institutional operators such as CNES or private operators such as Eutelsat) ;
- ESA carries out space operations from the French territory, in particular development launches ;
- The European Union has just been granted a specific shared competence on space matters in the frame of Lisbon Treaty.

The French Space Operations Act will allow France to fulfil its international commitments and to ensure the containment of technical risks so as to ensure the protection of people, goods, public health and the environment, as well as mitigation of space debris. It will also establish a strong legal framework for the French Government and all space actors regarding the liability and insurance issues. To this end, the Space Operations Act establishes two legal regimes:

- An authorization and control regime under which any space operation under the French jurisdiction, i.e. carried out from the national territory or carried out from a foreign country by a French operator, shall get a dedicated authorization by the Ministry in charge of space affairs. These authorizations will be granted after a technical assessment of the systems and procedures carried out by the operator with the technical regulations, which is delegated to CNES. ESA space operations will require an ad hoc agreement for the application of technical regulations.
- A safety regime for the preparation and carrying out of the launches from the Guiana Space Centre under which a safety mission is delegated to CNES' President. The Space Operations Act provides a national legal basis to this safety mission, which was formerly fulfilled by CNES under an international agreement with ESA. The implementing technical regulations formalize existing technical practices, in accordance with current international and European standards (COPUOS, IADC, ISO, ECSS).