

54TH IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
Legal Issues of Commercial Human Spaceflight (2)

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LEGAL ISSUES IN COMMERCIALSPACEFLIGHT PROJECTS IN SPAIN

Abstract

Legal issues in Commercial Spaceflight projects in Spain

I present an overview of the current situation of Spain as a location for the performance of space activities, both with regard to manned commercial activities, and in general terms activities of any kind that entail technical or scientific developments, investments, business, and any necessary legislative and supporting developments that such projects require. There are different factors to be taken into account as crucial to development in this paper: A growing interest on the part of different operators to perform their activities in our country; the actual status of legal framework in Space law in Spain, and the status of particular actions that will allow the operators to perform their activities, manned or unmanned. The performance of the activities of private human access to space are fundamentally in the hands of a reduced number of operators of sub-orbital flight projects – space tourism and others space activities – which seek the options offered by our country in terms of spaceports. The said coincident interest is tangible evidence that they see, both from technical analyses and from business development, that it is possible to implement the said infrastructures and projects. The interest shown by operators and by certain local promoters is in diametrical opposition to the limitation which may be considered as being one of the main obstacles to locating and performing space projects in Spain: the lack of specific legislation covering the said activities; No regulating them, encouraging them, and creating the necessary legal certainty in order for projects to be set up, for investments to flow, and creating the necessary conditions in order not to be left behind in what will be, with all certainty, one of the milestones to be taken into account in the new stage that the space race offers us in the coming years. The action required is by the one hand, precisely the development of the said Spanish Space Act, and together with this, the creation of the Political, economic, financial, and technical circumstances that make it attractive for entrepreneurs from any country to set themselves up in our country in order to perform, with the maximum possible chances of success, those initiatives aimed at allowing human beings, whether directly or indirectly, to take one more step in the conquest of space which, despite being so near, seems at times to be so far away