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WHO IS THE LAUNCHING STATE? LOOKING FOR THE LAUNCHING STATE IN CURRENT BUSINESS MODELS.

Abstract

The discussion on the concept of the launching State seems to have lost momentum and has been relegated to academic considerations. However, current developments in the business models of commercial space operators are posing again questions on how to identify the responsible country for supervision and authorisation. Delocalisation of companies and the spread of different operational functions across the globe oblige for the identification of the state resposible for authorisation of the space activity in question. The consequences are of crucial importance to the conduct of commercial activities as operators might be denied authorisation based on the impossibility to identify the country responsible for granting it. The current situation urges to the reconsideration of the concept of the "launching State" on pragmatic grounds. An approach based on the real jurisdiction and control over space assets and activities is essential. This paper attempts to look into issues linked to the identification of the launching state posed by current business cases and draws recommendations on the further interpretation of the concept of "launching State" as a tool to facilitate space business.