

## 55th IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)

## The Interaction between International Private Law and Space Law and its Impact on Commercial Space Activities (2)

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## COLLISIONS IN SPACE: PERSPECTIVES ON THE LAW APPLICABLE TO DAMAGE ARISING FROM SPACE OBJECTS

**Abstract**

The number of cases that have resulted in damage from space objects has, fortunately, been limited. When damage has occurred, however, it has been not inconsiderable. The increase in commercial space activities need not imply an increase in the number of collisions or accidents between space objects: such presumptions would be conjecture. Concerted efforts are underway to ensure compliance with the relevant inter-agency and international debris mitigation guidelines, as a means of limiting the impact of potential debris-related collisions in space activities. Through this, safety, lifetime and technology requirements for spacecraft are rising.

Where damage from space objects does occur, the issue most likely to arouse attention is likely to be the law applicable to such accidents. In practice, resort to the dispute settlement procedure under the 1972 Convention on the Liability for Damage resulting from Space Objects (Liability Convention), with its procedure for settlement of State claims on behalf of its natural or legal persons, remains an option to be exercised in the hands of the State parties to the dispute. Commercial operators may, independently, choose to call upon the domestic courts competent to hear the case in question. Domestic courts are then likely to investigate the relevant conflicts rules available across the various liability regimes that could apply to the damage resulting from the space accident.

This paper takes a closer look at these liability regimes for damage from outer space activities at international and national level, from the perspective of conflicts of laws. It includes third party liability for GNSS.

The paper offers a perspective on the current state of regulation and offers some reflections on possible developments in this area in the future.