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ELIMINATING CONTRADICTIONS BETWEEN DOMESTIC LEGISLATION IN THE FIELD OF
SATELLITE TELECOMMUNICATIONS AND INTERNATIONAL OBLIGATIONS WITHIN THE
FRAMEWORK OF THE WORLD TRADE ORGANIZATION

Abstract

It will be recalled that in 2012 the Russian Federation joined the WTO. As a new WTO member Russia assumed a number of obligations including those related to satellite telecommunications. It was for the purpose of eliminating contradictions between the effective Russian legislation and the obligations within the framework of the WTO that appropriate rules started being made. In 2013, on the invitation of the Ministry of Telecom and Mass Communications, the Intersputnik International Organization of Space Communications actively and with great interest participated as an external independent expert in elaborating the drafts of two new Procedures to be approved by the Regulation of the Russian Government. The first Procedure governs any activity in Russia related to the international legal protection of frequency assignments including activity related to the filing, coordination and registration with the ITU of frequency assignments, geostationary and other orbital positions as well as performance characteristics of satellites deployed in such positions. As set forth in the Procedure, such activities are based on the standards and rules of international sharing and utilization of the radio frequency spectrum. The second Procedure lays down the rules of accessing satellite networks and ways of using them in the territory of the Russian Federation, such networks being divided into two groups – foreign satellite networks and Russian satellite networks, - treated in somewhat different ways. However, as a general rule, foreign satellite networks can be accessed and used in Russia provided that such satellite networks have been coordinated with adjacent national satellite networks as set forth in the ITU Radio Regulations. Whereas it seems that the references to international regulations in both Procedures are quite natural, this is actually an important achievement of the authors of the documents and proof of Russia's willingness to fulfill the obligations arising out of Russia's accession to the WTO because in the past the practice could not but limit foreign satellite operators' entry into the Russian market and, therefore, needed to be given up after Russia joined the WTO. Currently, the draft Regulation of the Government of the Russian Federation is about to be finally agreed upon by the departments concerned. It is expected to be signed and take effect in Q1 2014. Literally, it is going to become a breakthrough and Russia's significant step towards fulfilling its obligations arising out of Russia's accession to the WTO.