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Legal issues associated with private human flight, including space and ground facilities, traffic management and spaceports (4)

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ESTABLISHING AN INDEPENDENT INTERNATIONAL SPACE AUTHORITY - A REAL
REQUIREMENT FOR PRIVATE HUMAN FLIGHT

Abstract

The rise of the international commercial space sector is facilitating the use of space seriously for private human flight in the future. The activities of public and private actors increase accidents and environmental risks. Accidents for space objects and uncontrolled spacecraft re-entry threaten safety of people and properties on the ground, in the air, on the surface of the sea, and space. At present, there are no common safety standards and procedures for space operations, thus the public worldwide is not equally protected from the risks posed by launching, over-flying and re-entering space vehicles. As a result, a number of legal issues remain unresolved. Current activities in space are unsustainable in the long term global space traffic management (STM). This research proposes establishment of a mandate for a new intergovernmental organization similar to the International Civil Aviation Organization (ICAO). It seems that it is an appropriate means to initiate and manage regulatory and safety issues for private human flight in space navigation. The author first, briefly describes current regulations with regard to space activities, and inadequacy of the contemporary regime of regulatory protection and promotion of space safety. Then he explains existing international regulatory frameworks in ICAO as a guiding sample and not as an appropriate authority. The author argues that ICAO cannot adequately manage regulatory and safety issues for private human flight in the space, although it can help and cooperate with the new authority in different space activities such as safety, licensing, infrastructure, jurisdiction and control, traffic management, as ICAO already provides ATM, thorough its SARPs, to aircraft in airspace over the high seas. He mentions that the new authority needs to use past experiences at both national and international levels in private human flight, especially international space station Intergovernmental Agreement (IGA). The focus of the new regulatory regime should be on enhancing the safe and efficient use of space by all actors without imposing undue restrictions to the commercial development.