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Author: Ms. Kang Duan
China Great Wall Industry Corporation(CGWIC), China

REGULATORY ASPECTS IN LAUNCH SERVICES CONTRACTS FOR MICRO-SATELLITES -
SUCCESSFUL DOCKING IN LEGAL SPACE

Abstract

The United Nations space treaties establish the basic legal framework governing outer space activities. While it is through national space legislation that the spirit and schemes in these treaties are further instilled into specific entities undertaking space activities, space procurement contracts, such as launch service contracts, play a notable role in final stage of rendezvous and docking with the general legal structure on international level. For example, contractual arrangements relating to technical standards, registration, indemnification and liability may emanate from treaty obligations assumed by state parties thereto. Furthermore, these arrangements seem to be made all the more complicated in the context of transnational transactions.

However, increasing scope and number of non-governmental participants in space activities such as micro-satellite sector begs the question of whether and how the launch service contracts need to be tailored to accommodate industry demands and regulatory needs. How will the service contracts for piggyback launch and multiple satellites launch weave their way in the complex cobweb of interacting international space law and multiple sets of national laws? With this changing landscape of launch market in mind, this paper tries to examine some of the regulatory issues to be addressed in micro-satellite launch services contracts, which reflect their deliberate compliance on micro-level with the international legal framework on macro-level. As analysis will be made in comparison with standard launch service contracts, the purpose is also to assess how such approaches to compliance may influence competition of both the launch service providers and clients.