

IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
Current Developments in Space Law with Special Emphasis on National Space Legislation (7)

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CURRENT STATUS OF JAPAN'S ACTIVE DEVELOPMENT OF SPACE LAWS AND INTERNAL
CONTROL SYSTEMS FOR COMPLIANCE IN SPACE AGENCY

Abstract

In December 2021, Japan became the fourth country in the world to enact a domestic law on space resources. In November, the month before that, Japan formulated the world's first guideline for applying for permission under the Space Activities Act for on-orbit services. These legal instruments have given legal foresight to non-governmental organizations that envision space resource activities on the Moon and debris removal services in orbit, and have encouraged their commercialization. For a long time, Japan's domestic space legislation lagged behind other space-faring countries, but since the enactment of the Basic Space Law in 2008 as a bipartisan Diet member's bill, Japan has caught up with other countries by enacting the Space Activities Act and the Remote Sensing Act, and has also achieved the above-mentioned advanced legislation one after another. Similarly, in the field of international law, Japan became an original signatory to the Artemis Accords in October 2020, and signed a Memorandum of Understanding concerning cooperation on a human outpost in the lunar vicinity "GATEWAY" with NASA under the Intergovernmental Agreement on the International Space Station in December 2020. In addition, the U.S. and Japanese governments have resumed negotiations on a comprehensive framework agreement, primarily to facilitate cooperation between NASA and JAXA. In this paper, I would like to introduce the main points of these legal developments, and also discuss the domestic background and circumstances that have led to the active development of space laws both domestically and internationally. In addition, from the viewpoint of compliance with laws and regulations, taking JAXA as an example, I will introduce the system of technical standards corresponding to the review criteria under the Space Activities Act and the internal control system for compliance with international laws (including assurance functions such as internal audits).