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INITIATIVES TO ENSURE LEGAL SECURITY IN SPACE INVESTMENTS: THE ROLE OF THE  
GENERAL ATTORNEY OFFICE (AGU)

**Abstract**

The Attorney General's Office (AGU) has the constitutional duty to represent the Union and act to ensure compliance with the Federal Constitution. One of the activities carried out by the AGU is advising various public sector bodies with the aim of providing legal certainty to decisions made by the State and in the development of public policies. In this context, during the year 2023, the AGU implemented various initiatives that impact the development of the Brazilian Space Program (PEB) and public institutions focused on the Brazilian space sector, including the Brazilian Space Agency (AEB). One of these initiatives is the coordination of an action to align legal understandings among AGU units in different direct and indirect public administration institutions. The goal is to enable the full implementation of the instruments outlined in the Legal Framework for Science, Technology, and Innovation (MLCTI) by the assisted institutions. The Legal Framework for Science, Technology, and Innovation (MLCTI) has brought many innovations to the field of science, technology, and innovation (STI) in Brazil, particularly in terms of fostering and public procurement for STI. However, there are still obstacles to the full use of such instruments, whether due to legal regulation, lack of awareness, or simply fear of penalties by the managers. This is particularly pronounced in the Brazilian space sector, where projects are long-term and involve high costs, which can result in heightened penalties for public managers willing to take the risk. Furthermore, the AGU established the Legal Security Committee for the Implementation of STI Legal Frameworks, which will serve as a forum for qualified dialogue with various stakeholders in the National STI System. This includes public administration bodies, scientific and academic communities, and the productive sector, addressing the sector's demands. One of the instruments that require the involvement of the AGU is technological orders, which have the potential to be the main means of fostering the Brazilian space sector. In 2021, the Brazilian Space Agency made the first technological order in the Brazilian space sector, seeking to contract an inertial navigation system. The process raised many legal and procedural questions. The AGU contributed to the development of the legal alternative that allowed the order to take place. This experience has been used as an example in public administration and as a benchmark for analysis in other processes based on the Legal Framework for Science, Technology, and Innovation (MLCTI).