

IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)  
Near Space: Legal Aspects of Aerospace Activities (2)

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A PROPOSED REGULATION OF SUBORBITAL FLIGHTS AND OTHER NEAR SPACE  
ACTIVITIES IN THE 2014 SPANISH DRAFT BILL ON SPACE ACTIVITIES

**Abstract**

A 2014 Spanish draft Bill on Outer Space Activities that was ultimately not made into law defined suborbital flights as “flights that do not enter into Earth’s orbit but have their primary goal to perform an activity in an area which is bordering what can be considered as outer space”. The bill contemplated the possibility of other activities that would take place in this particular “area bordering outer space”, a region that is also known as “near space”. The authors participated in the drafting of the Spanish Bill as legal advisors to the Spanish Government. This paper aims to describe what the regulation of suborbital and other near-space activities would have been like if the law had been adopted in Spain, and from there, the aim is to provide some insights into the future of such regulation generally. A reference will also be made to the Draft Rules on sub-orbital spaceflight elaborated by the International Law Association.