

54TH IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
Joint IAF/IISL Session on Policy and Law of Human Space Missions (7.-B3.8)

Author: Dr. Bernhard Schmidt-Tedd
Deutsches Zentrum für Luft- und Raumfahrt e.V. (DLR), Germany

Dr. Gulnaz Khalimova
Air Launch Aerospace Corporation, Russian Federation
Dr. Sergey Teselkin
Air Launch Aerospace Corporation, Russian Federation

THE LEGAL PROBLEMS OF PROVIDING THE SPACE ACTIVITY OF SPACE OBJECTS
LAUNCHING BY AEROSPACE LAUNCH SYSTEMS WITH THE PARTICIPATION OF SEVERAL
STATES (AIR LAUNCH PROJECT AS EXAMPLE)”

Abstract

The complexity of space projects requires the participation of several states. As the result of space activity commercialization was increased a number of commercial space projects where the parties are non-governmental legal entities (private companies). As the example could be taken the Russian project Air Launch. Satellite launches by Russian aerospace system would be held in area of Biak island (Indonesia), and the payload is planned to integrate in Munich airport (Germany). In this case can not be ignored the question of sufficiency and appliance of international legislation, concerning joint liability, could be used in accordance with new realities. Recently the term "launching State" is being subjected to severe criticism, and at the first time in the reason of the increased number of participants of commercial space activity. The launches from the open sea as well as take-off (start) aircraft from the territory of the State which is not being the owner of the space starting system (such as Air Launch project, in example), can lead to problems in legal regulation for the liability for damage caused by such activity. Thereby, the term "launching State" is one of the important concepts in Space Law. It defines; in particular, the States which can take the liability for the damage caused by space objects and in that case would pay the compensation. "Launching State" is internationally liable for the damage caused by space object, in despite of that Agreements do not prevent for redistribution of risks. Considering the complexity of aerospace projects, and involvement the Sates which previously hadn't had national space legislation, it would be desirable to take the more detailed review of "launching state" meaning.