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THE NEED FOR COMMERCIAL RISK REDUCTION IN PRIVATE MANNED ACTIVITIES IN
OUTER SPACE: A PROPOSAL FOR A REGULATORY EVOLUTION

Abstract

The author certifies that this paper was not earlier presented and that sponsorship and attendance in Glasgow to deliver the paper is assured (including a powerpoint presentation).

Public interest has to be served by creating a clear legal, regulatory safety regime and certification and licensing for commercial human spaceflight carried on by private companies.

Suborbital, and more recently, orbital flights programmes are a further step in future space tourism.

Merely focusing on the technical aspects at the moment, these programmes raise crucial regulatory issues yet to be addressed.

To make a parallel, the satellite industry has been heavily involved towards solving regulatory issues such as insurance, liability and the launching of precious (expensive) cargo. The private manned space programmes could benefit from the pragmatic regulations of the satellite industry. In that context, the focus needs to be on the necessary regulatory evolution in the field of commercial manned activities in outer space, and most specifically suborbital and orbital manned flights.

The latest U.S. private spaceflight bill paves the good direction. From an entrepreneur's point of view, however, it does not go far enough in order to adapt space law to business needs.

The need for commercial risk reduction will be underlined. Some of the obstacles will be identified such as: market access restrictions, legal and regulatory constraints etc. This paper will further expose ideas on sustainability of commercial manned space transportation in order to propose legal and regulatory changes.