Registration of small satellites

Conference on Small Satellites: Chances & Challenges

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Relevant instruments small sats

- Res. 1721 B (XVI) 1961
- Res. 1962 (XVII) 1963
- Outer Space Treaty 1967
- Registration Convention 1975
- Res. 62/101 2007
- UN registration form
- UN online index
- Res. 68/74 2013
- National legislation/regulations
Res. 1721B & Res. 1962

• Res. 1721B
  • States launching objects may provide information to COPUOS
  • UNSG to create public registry
  • Still used as basis for providing information!

• Res. 1962
  • Principle 7: state of registry retains jurisdiction & control; ownership not affected; objects to be returned when found; info to be provided upon request
Outer Space Treaty 1967

- 103 parties, 25 signatories (1/1/2014)
- Art. VIII:
  - State of registry retains jurisdiction & control over object/personnel; ownership not affected; objects to be returned when found; provide info upon request
- Art. XI:
  - States may provide info on nature, conduct, locations, result of space activities
- But also Art. VI:
  - International responsibility for national activities in space, also covers private entities
  - Appropriate state to authorize/supervise
  - Basis for national legislation
Registration Convention 1975

- 60 parties; 4 signatories; 2 declarations
- Defines launching state, space object, state of registry
- Compulsory national registration & compulsory international registration
- Additional information, end of life
- States to assist in identifying object causing damage
- IGO may declare acceptance
Issues & problems

- States provide different information
- States register different objects
- Vague obligations
- States register under different instruments
- Several states register
- No state registers
- Only for objects that reach orbit
- Re-entry
- Change of ownership
Resolution 62/101, 2007

• States to ratify REG (or use Res.1721B); IGO to declare acceptance

• Rec’s for harmonization of practices:
  • Uniform info; additional info; point of contact

• Rec’s to achieve most complete registration:
  • Clarify IGO cases if no decl. of acceptance
  • State whose territory/facility is used to contact launching states to agree which one will register, if no prior agreement (!!)
  • Separate registration for each object in joint launches
  • States to encourage their launch providers to advise owner/operator contact appropriate state about registration (!!!)
Cont’d

• Rec’s in case of transfer of supervision
• Requests OOSA to provide model form, provide a website
• Recommends states and IGO’s to report on new developments
Notifications to OOSA

- States may provide information under:
  - REG: ST/SG/SER.E
  - Res.1721B: A/AC.105/INF
  - Other (e.g. Art. V or XI OST): A/AC.105

- Notifications of establishment of national registries
  - ± 25 states + ESA + Eumetsat
OOSA On-line Index

- OOSA On-line Index of Objects Launched into Outer Space (under REG & Res. 1721B)
  - Uses names & international designators in the public domain
  - Names/designators not registered with UN are in [ ] and in green
UN registration form

- Part A: Information under REG/ Res.1721B
- Part B: additional info, Res. 62/101
  - e.g. change of status: non-functional, disposal orbit…
- Part C: change of supervision, Res. 62/101
- Part D: additional voluntary information
  - e.g. owner, launch vehicle,…
- Annex: instructions, definitions
Resolution 68/74, 2013

• Recommends elements for national legislation:
  • (6) A national registry should be maintained, and operators/owners of objects for which the state is considered the launching state or the responsible state should be asked to provide information to facilitate registration with UN, and ask info on change of status (end of life)
Small satellites & nat. law

- Do national laws regulate small satellites?
- Case: The Netherlands
  - Excluded, as a consequence of definition of ‘space activity’
    (‘launch, flight operation or guidance of space objects in outer space’)
    - ‘wrong’ interpretation of ‘national activities in outer space’?
  - Currently under review, administrative measure to be adopted by end 2014 to include small satellites in the scope of the Act
Small satellites & registration

- Do states register small satellites?
- Case: The Netherlands
- Has a register with 2 sub-registries:
  - UN part: objects for which NL is state of registry (Art. II REG) (=empty)
  - National part: objects for which NL is responsible (Art. VI), has jurisdiction & control (Art. VIII), but is not launching State
Cont’d

- NL does not consider itself the launching state of small satellites of private entities (e.g. Isis, TU Delft) as procuring state
  - Only applies to state procurement
  - So, small satellites of Isis, TU Delft will only be registered in the national part, not the UN part of the registry (art. VI VIII)
- NL does consider itself as the responsible state, jurisdiction & control (licenses!)
Practice of launchers

- Launch service providers increasingly require registration as condition for launch
  - Remember Res. 62/101: Launch providers to contact appropriate state about registration
- Case: The Netherlands
  - NL will provide a letter saying the object will be registered in the national part
  - Will this be enough?
  - Who will register such objects with the UN?
Clarification

• The Netherlands is not trying to escape its obligations, but believes bilateral agreements should be concluded to determine which state should be considered the launching state for which part of a launch operation

• Discussions are currently underway for the first such agreement
Capacity building needed

- Owners/operators of small satellites often do not know about space law, registration, liability, licenses, insurance, etc.
- There is a need to inform, educate them
- Workshops, information notices, websites, etc.
Conclusions

- Small satellites are space objects like any other, and must be regulated & registered
  - Authorize/supervise (license)
  - Launching states to agree who will register, State whose territory/facility is used to contact others
  - States to encourage launch providers to advise owner/operator to contact appropriate state
- Small satellite operators should review legal issues & obligations
- States should create awareness /build capacity on regulations in small satellite community
Thank you

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