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**Launching Space
Objects:
Issues of Liability and
Future Prospects**

by
Valérie Kayser

Kluwer Academic Publishers

Launching Space Objects Issues Of Liability And Future Prospects

Frans G. von der Dunk



Launching Space Objects Issues Of Liability And Future Prospects:

Launching Space Objects: Issues of Liability and Future Prospects V. Kayser, 2006-04-11 Launch activities performed by private entities deal with a complex legal environment The Space Treaties provide a general liability framework Launch participants are subject to regulatory or institutional control and to domestic liability laws Specific contractual practice has developed due to insurance limitations the inter participants waivers of liability and claims This book synthesizes information on the norms of play to allow the grasp of their relative weight and interactions in the assessment of liability risk for launch activities It reveals a legal framework presently lacking sufficient predictability for an efficient liability risk management the waivers of liability suffer weaknesses as do all such clauses and lack uniformity and reliability and the Space Treaties contain ambiguous terms preventing predictable determination of the States responsible for authorizing and supervising launch activities and for damage compensation and do not reflect the liability of launch operators This book offers suggestions of new approaches for harmonizing waivers of liability to improve their consistency validity and flow down and improving the Space Treaties for their implementation to non governmental launch activities In the launch community the need for lawmaking is less compelling than in fields such as aviation Nevertheless adjustments to the present framework are proposed through model clauses and an international instrument for further thinking and contribution by those sharing the opinion that creative lawmaking is needed now to prepare for tomorrow s endeavors *Space Warfare and Defense* Bert Chapman, 2008-03-19 This timely resource provides a history of the development of space weapons and warfare strategies and a comprehensive reference guide to the growing literature on the subject *Space Warfare and Defense A Historical Encyclopedia and Research Guide* provides comprehensive coverage of the development of space as a possible arena for warfare exploring the military uses of space past present and future and specific details of actual space weapons systems The encyclopedia spans the breadth of U S military space policy comparable programs in the Soviet Union China and the European Union and the full array of international agreements designed to regulate the military uses of space In addition the encyclopedia includes an extensive reference guide nearly 40 percent of the book directing readers to the essential literature on space weapons and defense systems produced by the United States other governments research institutions and additional sources At a time when space is becoming an increasingly important place of military competition and potential conflict *Space Warfare and Defense* dispels the myths and examines the realities of what may become humanity s ultimate battlefield **Space Insurance: International Legal Aspects** Katarzyna Malinowska, 2017-03-15 Insurance related to outer space activities has been around since the 1960s but has become vastly more significant with the increased commercial use of satellites This book focuses on the legal aspects of space insurance in the contractual context analysing space risk as well as the insurance terms used on the market It offers the first in depth coverage both practical and theoretical of space insurance from an international law perspective Attending throughout to the important and problematic distinction between

the space segment upstream and ground segment downstream in space law this book deals comprehensively with such issues and topics as the following the main hazards relating to space activities the impact of new space technologies on the level of risk and insurance the differing types of risks attributable to various entities in the context of insurable interest aspects of the space risk allocation regimes and risk assessment the impact of the five space treaties the Outer Space Treaty the Liability Convention the Rescue Agreement the Registration Convention and the Moon Agreement on the subject and scope of insurance coverage the advent of suborbital flight commercial human space flight and space tourism in the context of emerging insurance risks the problem of space debris contractual aspects of space activities affecting the space insurance risks basic notions such as outer space space object in the context of space activities and related insurance coverage basic insurance principles and their operation in the space insurance and the adjustment of losses and the settlement of disputes in space insurance The author emphasises the need to understand the various insurance risks facing particular types of commercial space activities including pre launch launch transportation spaceflight satellite communications satellite navigation satellite remote sensing and space station operation Satellites are increasingly a vital part of many daily activities of contemporary society and the Earth's orbit is becoming ever more crowded heightening the risks of collision damage and claims This thoroughly researched book will therefore be extremely useful to lawyers policymakers and academics tasked with defining the scope of insurance coverage that accurately mirrors technological contractual and legal reality Its practical aspect will be of extraordinary value to insurance lawyers underwriters and brokers

National Space Law in China Yun Zhao, 2015-02-04 China has made rapid developments in space technologies and space activities in the last few years however it still lags behind in the legal arena In order to provide guidelines for and promote further development of space activities China should speed up its national space legislation process In *National Space Law in China* Yun Zhao offers a comprehensive study of national space laws regulations and policies in China It contains rich information and materials of China's space law and practice As the first English monograph on national legislation on space law in China this book shall contribute to the understanding of China's current legal regime for space activities and future national space legislation

National Space Legislation in Europe Frans G. von der Dunk, 2011-09-09 The book deals with the main themes in implementing international space law vis vis private enterprise theme by theme with a specific focus on Europe in view of the complicating roles of ESA and the European Union in this context

Comparative Space Law Sirio Zolea, 2025-02-03 This book approaches space law from the angle of legal comparison In a new phase of exploration and exploitation of outer space characterised by an increasing presence and role of commercial entities problems inherent in systems of private law arise in a special context and require specific legal answers Through a comparative method this book systematises the complex legal spacescape concerning some fundamental concepts rooted in the various national systems of private law natural and legal persons property rights liability contracts and securities These analyses form a handbook of private law in the context of

outer space *The Space Treaties at Crossroads* George D. Kyriakopoulos, Maria Manoli, 2019-02-18 This contributed volume addresses the future development of space law in light of our ever growing space activities the multiplicity of new space actors and the challenges posed by novel space technologies Unlike existing space law literature it sets its sights on the future envisaging how space law could and should evolve in coming decades Written by experienced professors academics and practitioners in the field this edited volume constitutes a valuable tool for understanding the current state of space law the challenges it is called upon to address and the new phase it is about to enter In addition this book initiates a discussion de lege ferenda addressing the letter and spirit of space law in the world of modern and future space activities These papers were presented at The Space Treaties at Crossroads Considerations de lege ferenda held on August 28 to 29 2015 in Athens Greece The conference was jointly organized by the National and Kapodistrian University of Athens and the Institute of Air and Space Law of McGill University *Space Law* Francis Lyall, Paul B. Larsen, 2016-04-01 The opening of space to exploration and use has had profound effects on society Remote sensing by satellite has improved meteorology land use and the monitoring of the environment Satellite television immediately informs us visually of events in formerly remote locations as well as providing many entertainment channels World telecommunication facilities have been revolutionised Global positioning has improved transport This book examines the varied elements of public law that lie behind and regulate the use of space It also makes suggestions for the development and improvement of the law particularly as private enterprise plays an increasing role in space *Theory and Practice of Export Control* Dai Tamada, Philippe Achilleas, 2017-10-12 This is the first book to focus on the theoretical and practical issues of export control It combines the points of view of Japanese and French academics and practitioners including personnel at several governmental institutions and private companies Presenting the results of a collaboration between Japanese and French academics it contributes to the development of a new debate on export control Although export control has been discussed within the framework of international law in terms of peace and security its scope has now been expanded to international economic law i.e. WTO law and international investment law This means that in order to discuss export control appropriately the two areas of law have to be combined At the same time this topic is not only academic and theoretical but touches upon very real and practical aspects of trade export and foreign investment When we tighten embargos and economic sanctions for anti terrorism or anti nuclearization purposes we encounter more and more cases of conflict between security and the liberalization of economic relations in the world For this reason a wide range of collaborative work is needed in this area This timely book addresses various aspects of the current export control debate [On-Orbit Servicing: Next Generation of Space Activities](#) Annette Froehlich, 2020-09-07 This book shares a range of new and diverse insights on On Orbit Servicing OOS and examines its implications especially from political legal economic and security perspectives OSS has been evolving rapidly and presents both challenges and opportunities such as in space repairs refuelling refurbishment of spacecraft and servicing satellites which could play a critical role in extending

satellite lifecycles while also representing a valuable next step in debris mitigation At the same time many legal questions have arisen in connection with OOS the need to prevent hostile actions under the pretext of OSS the distinction between governmental and non governmental OOS operators the status of re worked and recycled space objects the issue of control in terms of operations performed in orbit i e in the international sphere the status of objects manufactured in orbit and applicable law including liability and registration and the impacts on insurance law and risk management Finally the book examines the implications of OOS for emerging space actors in the Global South and recommends a paradigm shift to help developing countries fully recognise the necessity and urgency of being involved in discussions on OSS as opposed to leaving it up to the developed space actors This book will be of great interest to practitioners academics and students working in the space sector and related fields

Handbook of Space Law Frans von der Dunk,2015-02-27 The Handbook of Space Law addresses the legal and regulatory aspects of activities in outer space and major space applications from a comprehensive and structured perspective It fundamentally addresses the dichotomy between the state oriented character **The Exploitation of Natural Resources of the Moon and Other Celestial Bodies** Fabio Tronchetti,2009 The purpose of this book is to propose a legal regime to govern the exploitation of natural resources of the moon and other celestial bodies Considering on the one side the interest shown by states and private operators to extract and use extraterrestrial natural resources and on the other the absence of specific rules dealing with such an option the establishment of a legal framework to regulate the exploitation of natural resources of the moon and other celestial bodies is needed so as to ensure its peaceful safe and orderly development **Space Law** Karl-Heinz Böckstiegel,Marietta Benkö,1990 Online access to all documents published in this collection The online format features full searchability linked table of contents as well as book marked sections to ensure that the desired document or section can be quickly found Documents which have not appeared yet in print are marked new in the table of contents Free access for 2007 is granted to the subscribers of the print version

Space Law Em Prof Francis Lyall,Mr Paul B Larsen,2013-02-28 Space law is an area of International Law that has developed massively in the last fifty years Francis Lyall Emeritus Professor of Public Law at the University of Aberdeen Scotland and Paul B Larsen Adjunct Professor at Georgetown Law Centre Washington DC and formerly lawyer for the Office of the US Secretary of Transportation have been involved with it since their days at the Institute of Air and Space Law McGill University Montreal in 1963 4 and both teach Space Law at their respective Universities This book gathers together their experience in readable form and with an extensive citation of the literature of space law its discussion provides an excellent source for both student and practitioners **Space Law** Marietta Benkö,Kai-Uwe Schrogl,Denise Digrell,Esther Jolley,2005 The contributions in this book reflect on the growing diversification of space law and is divided in two parts The first part provides a look at the current developments in international space law and regulation and the second part investigates future perspectives of this process It is only recently that international space law entered its third phase of development While the

first phase between the 1960s and 1970s was characterized by the elaboration of international conventions in the framework of the United Nations the second phase saw the adoption of special legal regimes in the form of UN General Assembly Resolutions which were dealing with issues like direct broadcasting by satellites DBS remote sensing RS and the use of nuclear power sources NPS in outer space The third and current phase received its impetus from the growing commercialization of space activities and their emerging privatization Therefore the main characteristics of this period relate to the efforts of adapting international space law to these recent changes and of finding ways and means to reconcile State interests with commercial perspectives This book forms a welcome addition to any collection in the field of space law and is a refreshing contribution to the discussion in the field

Defining the Limits of Outer Space for Regulatory Purposes

Olavo de Oliveira Bittencourt Neto, 2015-05-14 With different countries ascribing to different theories of air space and outer space law Dr Bittencourt Neto proposes in this Brief a reassessment of the international law related to the extension of state territories vertically Taking into consideration the vast number of proposals offered by scholars and diplomatic delegations on this subject matter as well as the principles of comparative law a compromise to allow for peaceful development is the only way forward The author argues for setting the delimitation of the frontier between air space and outer space at 100 km above mean sea level through an international treaty This would also regulate passage rights for space objects during launchings and reentries as long as those space activities are peaceful conducted in accordance with international law and respecting the sovereign interests of the territorial State Continuing expansion of the commercial space industry and conflicting national laws require a stable and fair legal framework best adjudicated by the United Nations instead of allowing a patchwork system to persist The proper framework for developing such regulation is carefully discussed from all angles with a practical recommendation for policy makers in the field

Yearbook on Space Policy 2010/2011

Peter Hulsroj, Spyros Pagkratis, Blandina Baranes, 2013-04-15 The Yearbook on Space Policy is the reference publication analysing space policy developments Each year it presents issues and trends in space policy and the space sector as a whole Its scope is global and its perspective is European The Yearbook also links space policy with other policy areas It highlights specific events and issues and provides useful insights data and information on space activities The Yearbook on Space Policy is edited by the European Space Policy Institute ESPI based in Vienna Austria It combines in house research and contributions of members of the European Space Policy Research and Academic Network ESPRAN coordinated by ESPI The Yearbook is designed for government decision makers and agencies industry professionals as well as the service sectors researchers and scientists and the interested public

Introduction to Space Law

Tanja Masson-Zwaan, Mahulena Hofmann, 2019-01-16 The relevance and substance of space law as a branch of public international law continues to expand The fourth edition of this long time classic in the field of space law has been substantially rewritten to reflect new developments in space law and technology of the past ten years This updated text includes new or expanded material on the proliferation of non state and

commercial entities as space actors the appearance of innovations in space technology the evolving international law of satellite telecommunications in a networked world and the adoption of national laws and international soft law mechanisms that complement the international treaty regime In this up to date overview of space law the authors offer a clear analysis of the legal challenges that play a role in new and traditional areas of space activity including the following the peaceful uses of outer space protection of the space environment the emergence of new legal mechanisms in space law the role of Europe in space telecommunications the commercial use of space resources human space flight small satellites remote sensing and global navigation satellite systems Additionally the five United Nations Treaties on space are included as Annexes for easy reference by students and professionals alike In light of the many new developments in the field this thoroughly updated Introduction to Space Law provides a clear overview of the legal aspects of a wide array of current and emerging space activities Lawyers policy makers diplomats students and professionals in the telecommunication and aerospace sectors with or without a legal background will find concise yet comprehensive guidance in this book that will help them understand and address legal issues in the ever changing field of space activities The authors are close former collaborators of the late pioneers of space law and authors of the earlier editions of this volume Isabella Diederiks Verschoor and Vladimir Kopal

Regulating a Revolution Neta Palkovitz, 2019-11-22 In recent years small satellites have taken the space industry by storm Their short development times low cost significant miniaturisation standardisation and commercial availability have truly revolutionised the space industry They make space accessible to non professionals and on an individual level This book is the first to explore the status of small satellites vis vis international space law examining which provisions are applicable and what kind of legal issues the traditional definitions pose when considering novel small satellites activities The author sheds clear light on current regulatory challenges raised by the commercial and research activities of small satellites as well as by governmental and military applications She covers the legal implications in such aspects of the small satellites revolution as the following liability for damage caused or suffered by small satellites State responsibility for non governmental space activities employing small satellites registration of space objects launch practices online availability of components and launch slots the connection between small satellites and space debris the role of space insurance and legal challenges posed by large constellations of small satellites In the course of the description and analysis the author provides case studies showing how these challenges can be dealt with offers deeply informed insights on emerging trends and future developments and indicates which jurisdictions may be most favourable to small satellite activities The small satellites market is booming and both States and industry are in need of guidance relating to the regulatory situation Accordingly this book will help stakeholders in the industry universities business entities and individuals as well as non commercial entities engaged in small satellites operations understand what kind of regulatory challenges exist and what should be done in order to solve these challenges in the future

Allocating International Responsibility Between Member States and International

Organisations Nikolaos Voulgaris, 2019-05-16 The ever growing interaction between member States and international organisations results all too often in situations of non conformity with international law eg peacekeeping operations international economic adjustment programmes counter terrorism sanctions Seven years after the finalisation of the International Law Commission's Articles on the Responsibility of International Organisations ARIO international law on the allocation of international responsibility between these actors still remains unsettled The confusion around the nature and normative calibre of the relevant rules the paucity of relevant international practice supporting them and the lack of a clear and principled framework for their elaboration impairs their application and restricts their ability to act as effective regulatory formulas This study aims to offer doctrinal clarity in this area of law and purports to serve as a point of reference for all those with a vested interest in the topic For the first time since the publication of the ARIO all international responsibility issues dealing with interactions between member States and international organisations are put together in one book under a common approach Structured around a systematisation of the interactions between these actors the study provides an analytical framework for the regulation of indirect responsibility scenarios Based on the ideas of the intellectual fathers of international law such as Scelle's doublement fonctionnel theory and Ago's derivative responsibility model the book employs old ideas to add original argumentation to a topic that has been dealt with extensively by recent commentators

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