



**C.R.T.E.A.N**

المركز الجهوي للاستشعار عن بعد لدول شمال إفريقيا

# Regional Center For Remote Sensing Of North Africa States



## **Model Law on The Organisation Of Space Activities in the member States of the Regional Center for Remote Sensing of North Africa Sates**

2021

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## INTRODUCTION

Public international law is often keen on defining the rights and responsibilities that states have towards each other, and it has aimed since the inception of its rules, of mainly establishing balance and cooperation between states, to maintain the stability of the international community. In addition, the legal system governing international community was and still is based on the idea of coexistence among sovereign states to the extent that achieves its preservation and leads to providing equality and facilitating interaction between them, especially in areas that, because of their nature or due to special considerations, are not subject to the jurisdiction of a specific state. This is obvious, for example, in the Law of the Sea Treaty, Space Law Treaties and international conventions on the regulation of presence in certain Polar Regions.

The gradual development of international law is visible in the field of conventions and treaties regulating outer space in order to suit every exceptional environment. Its authors began to study issues related to legal aspects and resulted in the adoption of legal principles, which the international community worked on at a later stage to be embedded in multilateral international treaties.

Outer space is that space above the national and international airspace, and it is not defined yet because of theoretical, scientific and political differences. Interest in this new legal field increased after the launch of the first Soviet satellite (Sputnik) into outer space on November 11, 1957, which was considered one of the most important victories of the contemporary scientific revolution and therefore gained the attention of scientific institutions and international organizations, especially the United Nations, which

intervened quickly to put an end to any future ambitions related to owning this new international field and extending national sovereignty over it under the pretext of possession or seizure.

The transfer of the Cold War and the arms race between the two camps at that time to outer space was prevented by issuing the first Resolution No. (1148) of the General Assembly on November 14, 1957, which limited the use of outer space to peaceful purposes and was reinforced by the Convention on the Ban on Nuclear Tests in Outer Space in 1963.

It goes without saying that these goals will be achieved only by establishing a legal framework regulating the exploration, use and exploitation of outer space by states and limiting their unconditional freedom, regardless of the degrees of their scientific and technical progress. Therefore, the United Nations initiated the establishment of a committee for peaceful uses of outer space, followed by a scientific sub-committee and another legal one.

After the victories achieved by the contemporary scientific revolution by discovering the technology of conquest of space, the concerned countries, as well as the United Nations, found themselves in the face of a legislative vacuum. They realized that the continuation of this situation does not serve the desired interest of creating a framework to determine the rights and obligations of international community members. Therefore, the UN and other countries hastened to issue several resolutions on the peaceful use of space, holding international responsibility for damages caused by space objects, helping astronauts and preventing space pollution. Elements of this framework were drafted in international treaties which have been signed, ratified or acceded to by most of the UN member states.

Thus, this relentless pursuit has resulted in what is known as the International Law of Outer Space, which is a set of legal rules for space activities.

It is usually associated with the rules, principles and standards related to international law, which are clearly present in the five international treaties and principles that govern and regulate space. Space law includes also a comprehensive perspective, in addition to international conventions and treaties, and to rules and regulations of some international organizations (for example, the International Telecommunication Union), as well as local laws, rules, regulations and other space provisions. Some countries, including Argentina, Australia, Canada, Finland, Germany, Hungary, Indonesia, Japan, Sweden, Britain, and America, have set up local laws to control their space activities.

The member states of the Regional Center for Remote Sensing of North African States (CRTEAN) and other Arab countries made great efforts to prepare national laws and issue or amend what is in force or underway. However, some of them lack experience in preparing such legislation that requires precise specialization which most of legislators are unfamiliar with. This may require countries desiring to establish national bases in this field to seek the assistance of foreign expertise, with all the cost, effort and time it would entail.

Accordingly, in 2014, the Center announced the preparation of a space law model draft to guide member states when developing their national laws. For this purpose, it formed a regional working group made of legal experts from member states entrusted with shaping the basics and pillars of this project, its implementation stages and a road map. The working group had to define those stages, both training and legislative, and the cost thereof. The team's work continued for a year, and its results yielded the document of the standard law included in this booklet.



The indicative law prepared by the expert team of the Regional Center for Remote Sensing of North African States included the basic provisions and left the detailed provisions to a further sub-document of a lower rank in the legislative hierarchy in the form of executive regulation, which includes provisions to referred laws. Guiding proposals have been included in this booklet for executive regulations and what aspects should be included when a member state is guided by the aforementioned law.

We hope that we have been successful in this work, success is only achieved with the help of Allah, for the interest of these Arab countries.

**Dr. El-Hadi Emhamed Gashut**  
**General Director of CRTEAN**

**INDICATIVE MODEL LAW  
TO REGULATE SPACE ACTIVITIES  
IN COUNTRIES NORTH AFRICA**

**PART ONE**  
**Chapter one**

**Article one**  
**Definitions**

Unless the context requires otherwise, the following terms and phrases shall have the following meanings:

**1. "The State"** the state that will adopt this draft law to formulate its national law. (The official name of the state shall be inserted: The People's Democratic Republic of Algeria, the Arab Republic of Egypt, the State of Libya, the kingdom of Morocco, the Islamic Republic of Mauritania and the Republic of Sudan).

**2. " State's citizen"**

a) Any natural person holding the nationality of the State.

b) Any juridical person/ established for a scientific or commercial purpose in accordance with the legislation of the State or under an international, regional or bilateral agreement to which the State is a party.

c)

Any accredited scientific or educational institution including any scientific organization (entity) or non-profit entity.

**3. " State territory "** The land areas and territorial waters adjacent thereto and the airspace above such land areas and territorial waters, which the state enjoys the right of sovereignty according to international law

**4. "Space Object:"**



- a) Any object launched or intended to be launched, on an orbital trajectory around the Earth or to a destination beyond the Earth's orbit.
- b) Any device, equipment or mean that carries a space object on an orbit around the earth or beyond Earth orbit.
- c) any constitutive element of an object as mentioned under (a) and (b) above

### **5. Space Activity:**

Space activity shall include: any activity immediately connected with operations to explore and use outer space, including the Moon and other celestial bodies and including the stages in which this activity takes place on Earth and before it is launched into space. Space activity shall include:

- a) Space research, whether on Earth or in outer space
- b) remote sensing of the Earth from outer space, including environmental monitoring and meteorology;
- c) use of navigation, topographical and geodesic satellite systems and experimental piloted space missions
- d) manufacturing of materials and other products in outer space;
- e) Any other kinds of activity performed with the aid of space technology.
- f) The production of a space object or part or component thereof on Earth (including development, manufacture and testing);

### **6. The Launching State**

- a) The State that launches or procures the launching of an object into outer space.
- b) The State whose territory or facility an object is launched, the term launch includes launch attempts.

**7. Licensing:** The document issued by the competent administrative authority to grant licenses to carry out space activities in the

country, which authorizes its owner to launch a space object, return it to Earth, or transfer effective control over it, in accordance with the terms and conditions determined by national and international legislation.

**8. Permit:** The document issued by the competent administrative authority to grant permits for a specified period in accordance with the terms and conditions determined by national and international legislation, which certifies that the space operator holding the permit has fulfilled the scientific, financial and professional guarantees, as well as conforming to the systems and procedures that it intends to implement with the technical regulations in force.

**9. The Minister:** The Minister with responsibility for space activities provided for in this law or whoever assumes such responsibilities in the State.

**10. Administrative authority:** The national authority which is competent under the law (state law) to supervise the space activities mentioned in this law and implement its provisions.

**11. Operator:** "The natural or juridical person that carries out or undertakes to carry out the activities referred to in this law, alone or jointly with others. In the case of a space object whose flight cannot be operated, or which cannot be guided once it has been positioned in orbit, the operator is deemed to be the person who has ordered the delivery in orbit of the space object.

**12. Effective control"** The authority exercised on the activation of the means of control or remote control and related means of supervision, necessary for the implementation of the activities of launching, and ensuing activities and operations for the control and guidance of one or more space objects; or return the same to Earth.

**13. "Damages":** Any loss of life or personal injury to a person, bodily or financial or leads to his death or other impairment of health; the environment or loss of or damage to property of persons, natural or juridical, or property of the State or governmental or international organizations resulting from space activity, including space objects.

**14. Space accident** «Any incident or accidents that occur in space, on the ground, in the air or in the water during the exercise of a space activity, including the fall or the forced landing of such objects, and the resulting damages.

**"Manufacture "**: Any natural or juridical person carrying out or having participated in the development, manufacture, assembling, testing or maintenance of all or part of a space object;

**15. "Launch Operation":** The process of transferring a space object from Earth to space by means of a rocket, equipment or any other means, to place it in its orbit around the Earth or the outside the Earth.

**16. "Outer Space Treaty":** The Treaty on the Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, signed on 27 January 1967 (for ratifying States add the following phrase: and ratified by the State in .....).

**17. "International Liability Agreement "**: The Convention on International Liability for Damage Caused by Space Objects, signed on March 29, 1973 (and for ratifying states, add the following phrase: and ratified by the state on.....)”.

**18. "Space Objects Registration Convention "**: The Convention on the Registration of Objects Launched into Outer Space, signed on

January 14, 1975. (and for ratifying states, add the following phrase: and ratified by the state on.....)”).

**19. "Agreement on the Rescue of Astronauts and the Return of Space Objects":** The Agreement for the Rescue of Astronauts, the Return of Astronauts and the Return of Launched Objects into Outer Space, signed on April 22, 1968 (and for ratifying states, the following phrase to be added: and ratified by the state in .....).

**20. "The Moon Agreement:** The Agreement Regulating the Activities Of States On The Surface Of The Moon And Other Celestial Bodies signed on December 18, 1979 (and for the ratifying states, the following phrase is added: and ratified by the state on.....).

## **Chapter Two**

### **The Objectives of Space Activity and the Scope of Application Of This Law**

#### **Article 2**

#### **Space activity goals**

**1.** Space activity shall be carried out with the goal of promoting the well-being of the citizens, development of the State, ensuring its security, and finding solutions to the requirements of its development.

**2.** The main tasks of space activity are:

- a) Providing access to outer space;
- b) Studying of Earth and outer space,
- c) the developing science, techniques and technologies, enhancing of economic efficiency.

### **Article 3**

#### **Scope of application**

**1.** The provisions of this law shall apply to space activities and the conditions of their course on Earth or in the air and outer space, carried out by natural or Juridical persons in areas subject to the jurisdiction or control of the state or using installations, personal or real property, owned by the state, or which are under its jurisdiction or control.

**2.** When provided for under an international agreement, this law may apply to the activities referred to under paragraph 1 of this article when carried out by natural or juridical persons holding the nationality of the State, irrespective of the location where such activities are carried out.

**PART TWO**  
**Licensing and Permitting Space Activities**

**Chapter One**  
**Activities Subject to Licensing**

**Article 4**  
**Obligation to license**

Any natural or Juridical person, who wants to carry out a space activity on the territory of the state, in its territorial waters or its territorial space, whether holding the nationality of the State or residing in its territory and holding the nationalities of other states, must obtain a prior authorization issued by the competent administrative authority to authorize space activities in the State.

**Article 5**  
**Requirement of Authorization**

**Any person** wanting to carry out a space activity under this law must obtain a prior permit from the competent administrative authority, certifying that the authorized space operator has fulfilled the scientific, financial and professional guarantees, as well as the conformity of the systems and procedures that he intends to implement with the technical regulations in force, especially with regard to safety, health and the environment. The permit may serve as a license for certain operations. The implementing regulations of this law shall specify the procedures and means necessary to implement the provisions of this article.



## **Article 6**

### **Persons and entities obliged to obtain a license**

Prior license must be obtained by and issued from the competent administrative authority in the State.

a) **any operator**, irrespective of its nationality, who intends to launch a space object from the territory of the State or from installation under the states' control or intends to return such object to the territory of the State or to installations under the state control.

b) **Any national operator** who intends to launch a space object from the territory of a foreign state or from installations under a foreign state's control or from space not subject to the sovereignty of a state or intends to return such object to the territory of a foreign state or to installations or facilities under the jurisdiction of a foreign state or to space not under the sovereignty of any state

c) Any natural person holding national citizenship and juridical person whose headquarters is in the State, whether an operator or not, who intends to launch a space object, and any national operator who intends to effectively control that object while it is in outer space.

## **Chapter Two**

### **Licensing**

## **Article 7**

### **License Issuance Terms**

**1.** Licenses to engage in space activities shall be issued upon verification by the competent administrative authority of the financial guarantees and professional capabilities of the applicant and his participants, when necessary, and ascertaining the extent to which the systems and procedures intended to be implemented

comply with the legislation and technical rules in force, especially with regard to the safety of people and property and the protection of public health and the environment.

**2.** The license may not be granted if the space activities for which the license is requested would harm the interests of national security or the state's commitment to its international obligations.

**3.** The administrative authority authorized to license may grant a permit for a specified period to practice a specific space activity after the space operator has fulfilled the required financial and professional guarantees and ensured that the systems and procedures referred to in paragraph 1 of this Article comply with the applicable technical regulations in force.

**4.** The implementing regulation of this law determines the conditions for the application of this article, in particular:

a) Information and documents to be provided to support the application for license and its granting procedure/ procedures for its granting.

b) The competent administrative authority for licenses granting and setting the technical rules provided for in Paragraph 1 of this Article

c) The conditions under which the permits referred to in paragraph 3 of this Article may be granted, as well as the ways in which the administrative authority is informed of the space operations to be conducted by the permit applicant;

d) The conditions under which the administrative authority may exempt the applicant from complying in whole or in part with the legislation and technical rules provided for in paragraph 1 of this article, when the license is applied for the purpose of carrying out an operation from the territory of a foreign state, or from the means and facilities under the jurisdiction of a foreign state, and that the obligations, laws, national or international practices of that state include adequate safeguards relating to the safety of persons and property, responsibility and the protection of national security, public health and the environment.

## **Chapter Three**

### **Licensee's obligations**

#### **Article 8**

#### **Obligations of the Licensee**

The licenses granted under this law shall be accompanied by the conditions and requirements in force to preserve the safety of individuals and property and to protect national security, public health and the environment as described in paragraph 1 of Article 7, as well as for the purpose of reducing the risks associated with space debris

#### **Article 9**

#### **Obligations of the Licensed Operator**

- 1.** The licensed operator is under the obligation to provide under this law insurance coverage or an approved financial guarantee approved by the competent authority
- 2.** The implementing regulation of this law determines the insurance terms and the nature of the financial guarantees that may be accepted by the competent authority for granting the licenses and the conditions that guarantee respect for the obligations referred to in paragraph 1 of this article towards the licensing authority.
- 3.** The insurance or financial security must cover the risks that licensee may have to compensate for within the limits of the amounts specified in the liability and insurance section of this law and for the damages that may occur to third parties as a result of space activity.
- 4.** Insurance or financial security shall, to the extent of the liability they may incur as a result of damage sustained by a space object, benefit the following persons:

- a) The State, its public institutions and similar public juridical persons;
- b) The operator and persons who have been involved in the production of the space object or the space operation

## **Article 10**

### **Inspection, follow-up and control procedures**

**1.** The following are entitled to carry out the necessary inspection, monitoring and follow-up to verify the licensee's compliance with the licensing obligations:

- a) Persons approved and appointed by the administrative authority referred to in Article 6 of this law who are affiliated with the interests and agencies of the state in charge of space, defense, research, and the environment, or to public institutions and relevant state agencies, in accordance with the conditions determined by the implementing regulations of this law.
- b) Persons authorized to carry out technical inspections on board aircraft
- c) Persons charged with inspection in the field of insurance;
- d) Persons charged with surveillance in the field of public health;
- e) Employees of any other entity specified by the implementing regulations of this law

**2.** The persons referred to in this article shall be obliged to maintain professional confidentiality in accordance with the conditions and subject to the penalties imposed by the applicable law.

**3.** The persons mentioned in this Article have the right to enter at any time to the institutions, buildings and facilities/ installations in which space activities are carried out, and to examine the components, equipment and space objects therein, their suitability with security, insurance and health requirements, as well as into the space object, in accordance with the terms and conditions determined by the implementing regulations of this law. Including

the right of the operator or his representative to be present during the inspection process and to choose the appropriate person to assist or represent him. If these buildings or part of them constitute a place of residence, it is permitted to search them in accordance with the conditions stipulated in Article 10 of this law.

4. Within the framework of the oversight and inspection mission carried out in accordance with the procedure provided for in Article 10 of this Law, the persons referred to in paragraph 1 of this Article have the right to check all documents or documents related to space activity and related to, as well as to obtain a copy of the same, information and the necessary data immediately or upon request. These persons may not take a copy of the documents and papers except after preparing a list specifying the type and number of documents. The said list to be signed by the licensee practicing space activity,

1) The operator shall be notified by the competent administrative authority for granting the licenses specified in Article (6) of this Law on the inspection results and shall have the right to express/ his observations thereon.

2) If contacting the operator or the person entitled to allow entry to the facilities, becomes impossible or if such access is refused, permission to search may be given to the persons mentioned in Paragraph 1 of this Article by order of the Court of First Instance in whose jurisdiction the place of inspection is located.

### **Article 11**

#### **Inspection procedures and the powers of officials authorized to inspect**

The Implementing regulation of this law shall define the detailed procedures for the inspection process of space activities, as well as the powers of the authorized employees to conduct inspection and the rights and guarantees of those subjected to such inspection.



## **Chapter Four Sanctions**

### **Article 12 Withdrawal and suspension of licenses**

1. The Licenses or permits issued under this Law shall be withdrawn or suspended in the event that the licensee person to conduct a space activity, breaches the obligations imposed upon him under this Law, or in the event that it appears that the space activities for which the license or permit is requested, may harm national security interests, public safety or the state's commitments to its international obligations, until the person in question, meets his obligations
2. In the event of suspension or withdrawal of a license or permit to engage in space activity, the administrative authority competent to grant licenses or permits, may order the authorized or permitted operator to take, at its own expense, reasonable measures to reduce the risks related to such space activity.

### **Article 13 Persons authorized to seize and record violations**

1. In addition to the policemen and the judicial police who are empowered with judicial control powers in accordance with the provisions of the State's Criminal Procedures Law, persons referred to in paragraph 1 of Article 10 and jurors shall have the authority to control and record violations committed in accordance with the provisions of this chapter and related provisions to its application. To this end, they shall have the powers provided for in paragraphs 2 to 4 of Article 10



**2.** The persons mentioned in the previous paragraph shall record these violations in a report sent to the public prosecutor within five days from the date of closing the same report. The minutes evidencing such recorded violations shall be proof of what is stated therein, unless proven to the contrary. The implementing regulations of this law shall determine the methods and mechanisms for implementing this article

## **Article 14**

### **Fines**

**1.** . There shall be a fine of..... imposed on:

**(a)** Any person performsspace activity, whether a natural or juridical person, regardless of his nationality, who engages without a license to practice space activity from the territory of the State or from facilities subject to the territory of the State.

**(b)** Any person engaged in national space activity who, without a license, engages in the performance of space activity from the territory of a foreign country, or from facilities belonging to a foreign country, or from space.

**(c)** Any natural person holding the nationality of the State or a juridical person whose headquarter is located in the State, who, without a license, performs space activity.

**2.** Each national operator, whether a natural or juridical person, shall be subject to a fine of ..... if:

a) Without a license, transfers to another the actual control of a space object authorized to be launched or its effective control under this law

b) Acts without a license to control a space object or activity that is not permitted or licensed to launch under this law.

**3.** There shall be a fine of ..... imposed on the operator who:

a) Continues to engage in space activity in violation of the instructions of the competent administrative authority to grant licenses or permits, or of a judicial decision to stop or suspend.

b) initiates performing space activity without complying with an official notice of compliance with the instructions given to him by the competent administrative authority for granting licenses and permits.

**4.** Any operator,

whether a natural or juridical person, who obstructs the inspections carried out in accordance with Article 10 of this law shall be fined of

.....

**PART THREE**  
**INSURANCE AND FINANCIAL AND ADMINISTRATIVE CONDITION**

**Article 15**  
**Meeting insurance requirements**

Whoever obtains a license or permit to conduct a space activity in accordance with the conditions stipulated in Chapter Two of this Law, is under the obligation to meet the insurance as follows:

- a) The insurance requirements set forth in Article 16 below for the entire period of liability for the launch or return of a space object.
- b) The licensee shall demonstrate the ability to bear direct financial liability for the launch or return of the space object in an amount no less than the amount stipulated in subparagraph 3 of Article 16 for the launch or return of the space object

**Article 16**  
**Insurance Requirements**

1. Insurance requirements cover all space activity phases of space activity, whether on Earth or in space, if the holder of the permit or license is insured (to the extent required by paragraph 3 of this article) for any liability that the holder may incur under this Law to pay compensation for any damage caused to third parties resulting from the launch or return of a space object.

2. The insurance coverage stipulated in paragraph 1 of this Article may be provided under separate insurance policies. The holder of the permit or license may, instead, obtain one insurance policy that insures both the insured and third parties.

3. The total insurance coverage for each space activity must be at least in the amount of..... (as determined by the implementing regulations as well as regulations issued by the competent authority in the State). For the purposes of application of this paragraph, if the regulations provide for a different method for determining the minimum insurance amount, such amount shall be stipulated.

4. The maximum amount of insurance resulting from the harm caused to others due to the launch or return of a space object is fixed in accordance with the regulations and ordinances issued by the competent authority in the State.

**Article 17**  
**Additional Insurance**

The provisions of this law shall not preclude the licensee from obtaining any additional insurances required by the laws of the state.

**Article 18**  
**Insurance and provisions of international agreements**

The provisions governing insurance provided for in any treaty to which the State is a party shall apply, or in accordance with national legislation if the State is not a party to the said treaty.

**PART FOUR**  
**LIABILITY AND COMPENSATION FOR DAMAGES**

**Chapter One**  
**Liability for damages arising from space activities**

**Article 19**

**Scope of application and covered damages**

1. The provisions of this Chapter shall apply to damage caused by any space activity in the following cases:

a) If a space object is launched from a launching facility in the State, or in the event that the State is considered a launching state in respect of the target; and the damage resulted from such launching

b) If the damage has occurred due to a space object during its return to the State, provided that the damage occurred during the period of liability in respect of the return.

c) If the damage was caused by a space object in cases/ event of launching the space object from the launching facility of the State or if the State is a launching State with respect to the target; and the space object is returned to the state or to a destination outside the state,

2. The provisions of subparagraphs (a, b, and c) of this Article shall apply to the damage mentioned therein irrespective of whether the damage has occurred on Earth, in the air or in space; or beyond if, occurred within the territorial scope of the state or outside it, regardless of whether the launch or return was authorized or not in accordance with the provisions of this law.

**Article 20**  
**Compensation for damages to third parties**

1. Compensation shall be made for any damages caused to third parties as a result of the performance of space activities shall be made in accordance with the provisions of this law,
2. The provisions of paragraph 1 of this Article shall not prejudice the right of the State to comply with any obligation to compensate the damage in accordance with the Convention on International Space Liability or any other obligations imposed under international law.
3. In all cases, the provisions of this chapter do not prejudice the right to claim compensation for tort liability in accordance with the provisions of the civil law of the State.

**Article 21**  
**Liability for damage to third parties**

The **licensed** operator shall be responsible for compensating any damage caused to third party by the licensed activity. However, liability is excluded/ if the damage is caused by:

- a) Gross negligence on the part of the injured.
- b) If the injured party has intentionally caused the damage (whether through an act or omission).

**Article 22**  
**Liability for damage to other space objects**

An operator licensed to engage in a space activity shall be liable to compensate for any damage caused by such activity:

- a) To a space object launched or operated by others;
- b) To third parties or their property, on board this space object.



Liability arises only if the damage is caused by the fault of the responsible or related party. In this regard, the provisions of exclusion of the liability provided for in sub-paragraphs (a) and (b) of Article 21 shall apply/ be applicable.

## **Chapter Two**

### **Limits of compensation**

#### **Article 23**

#### **Limitation of liability for damage**

The liability of the operator causing the damage is unlimited, except in the following cases:

- a) If the damage is caused by a license holder to practice the space activity that caused the damage
- b) If the damage was caused as a result of violating any of the terms of the issued license, or if the license issuance based on fraud, concealment of data, falsification of documents, or any manipulation of documents in any way (whether through an act or omission)
- c) If it is established that the responsible or the related party acted with intent to cause damage, or if the damage occurred as a result of gross negligence on the part of the responsible or a related party.

#### **Article 24**

#### **Liability for the value and limits of compensation**

- a) The liability of natural and Juridical persons for damages that occur as a result of space accidents while carrying out space activities is limited to the amount insured or the insurance compensation stipulated in the insurance contract against the risks involved in space activities

b) If the insured amount or the insurance compensation is insufficient to compensate the damage sustained by the affected party as a result of the insured space activity, the injured may resort to the judiciary to claim compensation from the property of the natural and juridical persons responsible for the damage as specified in the legislation in force

### **Article 25** **Other cases liability limitation**

Liability limitation under this chapter shall also apply in the case of a space activity that is licensed or authorized by another State which causes damages covered by the provisions of this chapter, and the damage was not caused by a violation of any of the conditions of the license or permit, or any act (whether by an act or omission) by the party who is responsible or a party who is connected to an act with intent to cause damage or due to gross negligence of the responsible or related party resulting in damage.

### **Article 26** **Compensation in excess of the insured amount**

The person who causes damage within the territory of the State, shall be liable to pay the compensation which exceeds the value of the insured amount when obtaining a license or launch certificate from abroad.

### **Article 27** **Recourse against the responsible for the damage**

In the event that the State compensates for damages resulting from space activity, it has the right to recourse against the responsible for the damage within the limits determined by the implementing regulations of this law.

**CHAPTER THREE**  
**Jurisdiction and Statute of Limitations**

**ARTICLE 28**  
**Competent Court**

Jurisdiction over claims for damages resulting from space activities shall be vested in the Court of First Instance within the scope of which the applicant resides or the Court of First Instance within whose jurisdiction the damage has occurred.

**ARTICLE 29**  
**Limitation of the Claim**

Claims for compensation for damage to which the provisions of this Law apply shall be time-barred by the lapse of two years from the date occurrence of the damage. If the victim is not aware of the damage occurred, the statute of limitations shall be effected by the expiry of one year from the date on which his certain knowledge of the damage is established.

**ARTICLE 30**  
**Cases in Which a Foreign State Files a Lawsuit**

If a foreign State institutes a lawsuit against the State, in accordance with the Convention on International Liability or otherwise under international law, for compensation for damage caused by a space activity for which a license, permit or certificate of release abroad has been issued, or if such claim made by the foreign State has been settled, the person who suffered the damage covered by the claim may not initiate another lawsuit against the responsible party, seeking compensation for that damage.

**Part FIVE**  
**Registration of Space Objects**

**Chapter One General Principles**

**ARTICLE 31**  
**Commitment to Register**

Whoever launches any space object shall be obliged to register it in a register called the "national register of space objects", which shall be established and regulated in accordance with the executive regulations of this law. The registration shall be permanent or for a specified period in accordance with the national legislation governing registration.

**ARTICLE 32**  
**Space Objects Eligible for Registration**

The following shall be recorded in the National Register of Space Objects:

- a) Space objects launched by order of the State, or an entity qualified to represent them under a bilateral or multilateral law or convention.
- b) Space objects in which the State participates through full or partial funding of the mission.

**ARTICLE 33**  
**National Registry Specifications**

The National Register of Space Objects shall be publicly available for public viewing, printed, updated and published in an electronic version accessible through the World Wide Web Network (The Internet).

**ARTICLE 34**  
**Format and Data of the National Registry**

1. The Executive Regulations of this Law shall determine the form and data of the National Register of Space Objects and its technical specifications, provided that it must include the following information:

a) The type, components and specifications of the space object.

b) The name of the entity responsible for the space object.

c) The label which defines the body.

d) The serial number given to it in the Register.

e) The basic data of its orbit and other data.

f) The task performed by this body and the purpose of its release.

2. If the object is carrying a nuclear power source, a special note shall be placed with a red line bearing the following letters (NPS). The National Specialized Authority for Nuclear Energy shall be engaged in the registration procedures of the concerned object and in its monitoring and follow-up processes.

**CHAPTER TWO**  
**National Entity Responsible for Registration**

**ARTICLE 35**  
**The Body Entrusted with Maintaining the National Register**

The National Register of Space Objects shall be maintained by the competent administrative authority, under the supervision of the competent Minister or Ministers, as set forth in the Executive Regulations.

**CHAPTER THREE**  
**Organization of the Registration Process for Space Objects**

**ARTICLE 36**  
**Registration Request**

1. Registration in the National Register of Space Objects shall be made upon a written request accompanied by an accompanied with an administrative and technical file to the competent authority for the registration of space objects, as determined by the Executive Regulations of this Law. The application for registration is accepted only if the applicant has the License.
2. Requests for modification or correction of the data contained in the Register shall be submitted in the same manner as registration.

**ARTICLE 37**

**Registration Procedure and Ensuring the Data Correctness**

1. The application file for registration shall be submitted to the administrative authority for consideration and submission to the competent minister for the appropriate decision.
2. The administrative authority responsible for registration shall initiate the procedures for verifying the authenticity of the data provided and their conformity with the facts of reality and with the conditions established by law.
3. The Implementing Regulations shall determine the practical rules and procedures for registration, including fees for registration and renewal of the registration of space objects and other related provisions.



## **ARTICLE 38**

### **Powers of the Expert in Charge of Inspection**

The expert or experts in charge of inspecting the registration data and examining their authenticity and accuracy may request modification or specific improvements and modifications to the space object to be registered in order to meet the technical conditions and safety requirements in accordance with the provisions of international law in the field of space and the requirements of the national law and regulations in force in this regard.

## **ARTICLE 39**

### **Technical Opinion for Registration Purposes**

The expert or experts in charge of inspecting and verifying the authenticity of the registration data shall submit a detailed report on the registrability of the body to a committee of experts which shall submit its final opinion on this matter to the competent administrative authority.

## **ARTICLE 40**

### **Approval or Objection to Registration**

- 1) The competent administrative authority shall submit its technical report based on the opinion reached by the Committee of Experts to the competent minister to issue a decision on whether the registration of the body concerned shall be granted or not.
- 2) The Minister may refuse registration for reasons related to the public interest of the State and national security, provided that the refusal is in writing and reasoned.

## **ARTICLE 41**

### **Certificate of Registration**

Upon issuance of the decision approving the registration of the space object, the competent administrative authority grants the applicant a certificate of registration containing the following information:

- a) Type of space object, its components, and specifications
- b) The name of the body responsible for the body.
- c) The name of the space object.
- d) The serial number given to it in the register.
- e) The basic information about its orbit and other data.
- f) The conditions and restrictions to be adhered to by the person in whose name it is registered.
- g) The task performed by this body and the goal of its release.

## **ARTICLE 42**

### **National Registry Extract**

Upon completion of the registration of the space object, an extract from the National Register of Space Objects containing the information and data provided for therein shall be drafted and transmitted to the Secretary-General of the United Nations in accordance with the relevant provisions of international law.

## **Chapter IV**

### **Inspection of the National Register of Space Objects**

## **ARTICLE 43**

### **Periodic Follow-Up of the National Register of Space Objects**

The competent authorities for the monitoring and inspection provided for in this Law shall carry out periodic follow-up

procedures for the National Register of Space Objects to ascertain the adequacy of the registration procedures with international and national legislation and the conformity of registered space objects with the required technical data and conditions.

**ARTICLE 44**  
**Extraordinary Inspection**

The Minister or the administrative authority outside the routine inspection cycles may request an exceptional inspection if either of them deems it necessary.

**Chapter Five**  
**Sanctions Relating to Registration**

**ARTICLE 45**  
**Penalty for Violation of Registration Procedures**

Anyone who commits a violation of the provisions and procedures prescribed for registration shall be punished by the penalties provided for in the following articles, without prejudice to the administrative disciplinary penalties, which include the revocation or non-granting of a license or permit for space activity in respect of which the violation of the provisions relating to the registration of the space object occurred.

**ARTICLE 46**  
**Penalty for Non-Registration of A Space Object**

Any legal or natural person who launches a space object without obtaining a certificate of registration in the National Register of Space Objects shall be punished by financial fines and penalties as determined by law.

**ARTICLE 47**  
**Penalties for Concealment or Fraudulent Information**  
**Related to the Registration of a Space Object**

Anyone who intentionally conceals, alters, or falsifies information and data related to the registration process of space objects shall be punished by a fine between ..... and.....and imprisonment between .... and..... or with one of these two penalties.

**Part VI**  
**Safety and Investigation of Space Accidents**

**Chapter One**  
**Obligations of the State or the Entity Responsible for Space**  
**Activity**

**ARTICLE 48**  
**Protection Measures**

The State responsible for launching or procuring the order for the launch of a space object shall protect the launch area, and the persons involved in the launch, to avoid damage to individuals and installations because of the launch.

**ARTICLE 49**  
**Reporting of the Launch Time**

The launching State shall inform the States located in the launch route of the exact time of launch, provided that such notification shall include a warning of the presence of flying objects in that route at the time of launch.

**ARTICLE 50**  
**Reporting of Space Accidents**

The State, the initiator or any entity with knowledge of a space accident shall report such an accident as soon as it becomes aware of it and shall notify the Secretary-General of the United Nations thereof to notify the States concerned.

**Chapter Two**  
**Dispute Resolution**

**ARTICLE 51**  
**Peaceful Settlement of Disputes**

1) In the event of an accident in the territory of a State by a space object under the authority of that State, the dispute may be settled amicably, by arbitration or by recourse to the jurisdiction of the State.

2) In the event of an accident resulting from a space object under the authority of the State in the territory of another State or in areas not under the jurisdiction of a State, the dispute in such an incident may be settled by diplomatic means or in accordance with dispute settlement mechanisms as provided for in the applicable international conventions and treaties or in accordance with the provisions of international law.

**Chapter Two**  
**Search and Rescue**

**Article 52**

In the event that a crew of a spacecraft lands due to an accident or emergency landing in the territory of the State, all necessary forms

of assistance shall be provided for the search and rescue operations. The safety of the crew shall be maintained, and it shall be imperative to protect the persons, vehicles and their debris.

### **ARTICLE 53**

#### **Inadmissibility of Detention of Spacecraft Crew**

None of the spacecraft's crew team may be detained after being rescued or harmed in any way. Any violator shall be punished by the penalties provided for in the Penal Code, with the penalty increased by half. However, public authority officers and judicial officers may detain the spacecraft or its wreckage pending the completion of investigations, if necessary.

### **ARTICLE 54**

#### **Assistance to Astronauts on the High Seas**

If the maritime units of a State become aware of or discover that the crew of any spacecraft has landed on the high seas or in areas not under the jurisdiction of a State or are difficult to reach, they shall provide the necessary assistance in search and rescue operations to ensure the speedy rescue of the crew. It shall also inform the Minister or the competent administrative authority to notify the launching authority and the Secretary-General of the United Nations of the accident and the search and rescue measures taken.



**Part VII**  
**Technical Cooperation**

**ARTICLE 55**  
**Principle of Cooperation**

In carrying out their activities in the field of outer space exploration, public and private entities of the State shall consider the following:

a) The provisions of international law and the Charter of the United Nations, with a view to maintaining international peace and security and promoting international cooperation and understanding.

(b) The principle of cooperation with other States on a mutual basis and in a manner that ensures mutual interests, as provided for in the 1967 Outer Space Treaty.

c) Not to cause any harmful pollution in space and Earth and, where necessary, appropriate measures shall be taken for this purpose.

**ARTICLE 56**  
**Conflict with Space Activity of another State**

If the competent administrative authority for licensing or authorizing space activities has reason to believe that the space activity, including experimental, for which the licence or authorization is sought, would be incompatible with the activities of one or more other States in the exploration and use of outer space for peaceful purposes, it shall inform the relevant authorities of the State to take the necessary action.

**Part VIII**  
**Final provisions**

**ARTICLE 57**  
**Regulations and Executive Decisions**

The implementing regulations and decisions of this Law shall be issued by the competent authority of the State. If necessary, a regulatory text or any action required by the implementation of this Law may be issued in order to comply with the relevant international conventions.

**ARTICLE 58**  
**Validity of the law**

This Law shall enter into force from the date of its promulgation / from the date of its publication in the Official Gazette. All provisions contradictory to those contained therein shall be repealed on the same date.

Issued in ..... on the date of ..... .. / .....

**Law Experts**  
**Who participated in the preparation of this Model Law**  
**on The Organisation of Space Activities**

	Name	Country/Organization
1	Mr Ahmed MESSALETI	CRTEAN
2	Mrs Jihen CHAARI	CRTEAN
3	Mrs Sawsen MABROUK	CRTEAN
4	Mr Mohamed GHADDAH	Libya + team organization
5	Dr Oussama KETTANI	Morocco
6	Dr Hatem Hatem OULD ELMAMY	Mauritania
7	Dr Walid Mustapha RADWAN	Egypt
8	Dr Mouawia Haddad	Sudan
9	Dr Magdi ABD EL JAWAD	Egypt
10	M. Bilel SILITI	Tunisia

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**C.R.T.E.A.N**

المركز الجهوي للاستشعار عن بعد لدول شمال إفريقيا

# Regional Center For Remote Sensing Of North Africa States



## **Model Law on The Organisation Of Space Activities in the member States of the Regional Center for Remote Sensing of North Africa Sates**

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