

Regulatory Briefing – December 2021

Europe

European Union

ESA releases manifesto on the future of space activity in Europe

Last month, at its Intermediate Ministerial Meeting, the European Space Agency (ESA) Council of Ministers announced its ambitions for the future of space activity in Europe.

In a manifesto named after the Portuguese city where the meeting took place (the Matosinhos Manifesto) the Ministers agreed to promote three "accelerators": climate; crisis response; and space assets, and two "inspirators": human spaceflight; and planetary exploration.

The "accelerators" are designed to usher research and funding into areas where space-based solutions may be overlooked or underutilised. Of the three, the Council deemed the climate accelerator the most important, through which ESA hopes to illustrate and apply how satellite technology can address climate change and help Europe reach its net-zero target by 2030.

The "inspirators" address increased commercial competition from international competitors, particularly from China and the United States (US).

The Manifesto does not detail the amount of public funding required to execute ESA's ambitions or the intended role of the European Union and its international and commercial partners.

However, ESA Director General Dr Josef Aschbacher emphasised that the meeting was 'not a trivial exercise'. ESA intends to better define its ambitions in advance of the European Space Summit in February, where ESA member states will meet in Toulouse, France.

France

US and France agree to expand cooperation on space issues

Following a meeting with French President Emmanuel Macron, American Vice President Kamala Harris announced the nations' intention to expand their cooperation in space.

Through space, the two countries intend to work together to:

- address the climate crisis;
- "expand the frontiers of space";
- enhance the quality of and access to science, technology, engineering and mathematics (STEM) education;
- consulting on norms, guidelines, principles and rules to ensure sustainability and security of space activities; and
- enable a sustainable space economy.

Harris further announced the US' intention to join the French-led Space Climate Observatory (SCO), launched by Macron in 2019. The SCO seeks to make satellite and space data accessible to organisations fighting the climate crisis.

In return, Macron expressed France's intention to join the American-led Artemis Accords, signed by eight founding countries in 2020. The Artemis Accords are an international, non-binding agreement promoting the cooperative, sustainable and peaceful civil exploration of space.

Germany

New industry enterprise launched

The Federation of German Industries (BDI) has partnered with five associations and 28 companies to establish a new space initiative.

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The initiative seeks to prepare Germany for the energy transition and digital transformation and support “networking between space, start-ups and industry”.

In his speech, BDI CEO Dr Joachim Lang stated that he hopes that the German Government will “seize this unique opportunity and actively support the courage and commitment of companies”.

Italy

Italy and France sign memorandum of intent

As a part of a broader bilateral treaty, Italian Space Agency (ASI) president Roberto Battiston and the French Space Agency (CNES) president Jean-Yves Le Gall signed a memorandum of intent (MOI) to strengthen their cooperation in space.

The MOI calls for the exchange of researchers and academics and the establishment of working groups to develop shared responses to European Commission calls to tender.

Other areas identified as of common interest included Earth observation, space technology transfer, and Horizon 2020. The countries will produce implementation agreements for each area of common interest in the coming months.

United Kingdom

UK Space Agency call for evidence extended

The UK Space Agency (UKSA) has extended the deadline on its call for evidence regarding orbital liability limits and alternatives to traditional third-party liability insurance to 7 January 2022.

UKSA seeks to gain a better understanding of:

- the potential impact of a reduction of insurance requirements and limits of operator liability for orbital operators; and
- the viability of alternative models of insurance and potential impact on the insurance market.

To submit, respondents should email legislation-uksa@ukspaceagency.gov.uk.

UK Space Agency call for applications opened

The UKSA has opened applications for UK National Delegate applications for support pursuing an ESA Advanced Research in Telecommunications Systems (ARTES) Programme project.

In 2019, the Government promised £250 million to the ARTES Programme to support the UK satellite telecommunications industry.

Applicants should submit an expression of interest to artes@ukspaceagency.gov.uk by 7 January 2022. Expressions of interest are considered on a rolling basis. Successful applicants will be asked to submit a project proposal for 31 January 2022.

First meeting of Spaceflight and Regulatory Council

The Spaceflight Safety and Regulatory Council (Council) inaugural meeting, consisting of government members, commercial leaders, industry experts, and space flight regulators, took place late last month.

The newly formed Council is focused on supporting the future of UK space launches and encouraging the right regulatory environment in the UK. The Council convened to collaborate and develop advice and recommendations for government.

North America

United States

First meeting of the National Space Council focuses on national security and sustainability

The National Space Council (NSC) met for the first time under the Biden Administration at the US Institute of Peace in Washington, DC.

“Unparalleled expertise in all aspects of space and satellite regulation and financing”. Legal500 2021

Vice President Kamala Harris shared the NSC's main priorities:

- establishing rules and norms for responsible behaviour in space;
- combating climate change; and
- expanding access to STEM education.

The NSC's discussion of space norms was in direct reference to Russia's anti-satellite weapon test in November that endangered the lives of members aboard the International Space Station and produced thousands of space debris pieces.

US National Security Advisor Jake Sullivan stated, 'Over the past few years, the international community through the United Nations and elsewhere has made progress in developing norms to strengthen the safety and sustainability of space activities ... but, frankly, we've fallen short in addressing the risks of inadvertent conflict arising from growing national security activities in space'.

Harris concluded the Council meeting by emphasising that establishing shared space norms will 'benefit not only the American people but all of humanity'.

Third State of the Space Industrial Base report released

Last month, senior officials from the US Space Force, the Air Force Research Laboratory and the Defense Innovation Unit, published their third iteration of the US State of Space Industrial Base report.

The 92-page report brings together conversations held with more than 250 government, industry and academic experts and reflects their perspective on how best to maintain and grow the nation's space economy and technology base.

The report notes, “While the pace of innovation and investment in the US is at an all-time high, this will not be sustained without strategic direction...”.

The report argues that energy and capital need to be diverted from launch to manufacturing and technology to ensure a holistic and sustainable space economy for years to come.

NASA Administrator Bill Nelson and Chief of Space Operations General John Raymond endorsed the report in a joint statement.

Asia

South Korea

Government changes direction and budget proposing to develop reusable rockets

Reversing the Government's recently released budget request for 2022, South Korea has announced its intention to develop reusable rockets.

Representative Cho Seung-rae of the Democratic Party of Korea commented “Having such a liquid-fuelled high-performance rocket engine is necessary [for South Korea] to successfully fulfil the missions of launching a lunar lander by 2030 and building the Korea Positioning System by 2035 on its own”.

The Korea Positioning System is a state-sponsored infrastructure project that, once established, will make South Korea the seventh nation in the world to have its own satellite-based positioning, navigating and timing system.

In addition, the government hopes that the rocket will significantly reduce launch costs and make Korea a more competitive launching state on the commercial stage.

To execute its ambitions, the government will first carry out two-years of preliminary research with a budget of 12 billion won (£7.7 million). Once the research is completed, the Korea Aerospace Research Institute will develop the rocket.

Africa

South Africa

South Africa signs memorandum of understanding with China

During the seventh annual Science Forum in South Africa, in a workshop promoting global navigation satellite system applications, the South African National Space Agency signed a Memorandum of Understanding (MoU) with the China Satellite Network Office.

The MoU recognises the importance of collaboration and proposes new ways of working together to grow satellite navigation technologies.



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