Entered into Force: The 2020 Space Law of Luxembourg

Mahulena Hofmann, Luxembourg

I. Introduction

Luxembourg belongs among the States with a developed space sector. Being a member of the European Space Agency, the space programme of the European Union, UNCOPUOS, the International Telecommunications Satellite Organization (ITSO), Inmarsat, Eutelsat, Eumetsat\(^1\), and recently a Party of the Artemis Accords\(^2\), it is active on the international scene. By hosting SES and developing a space strategy focused on creating an attractive ecosystem for NewSpace companies\(^3\), it is active at the national level. As a State Party of the Outer Space Treaty\(^4\), the Liability Convention\(^5\), and recently the Registration Convention\(^6\), it is bound by the crucial international treaties governing outer space.

In comparison with the broad spectrum of Luxembourg’s activities, the national legal framework allowing for authorizing and supervising activities under Luxembourg’s jurisdiction was narrow. The 1991 Law on Electronic Media\(^7\) allowed for the authorization of the SES telecommunication satellites. The 2017 Space Resources Law\(^8\) was adopted speedily to welcome operators in this specific area. A legal basis for other activities was missing – there were no binding provisions enabling domestic authorities to regulate launching of space objects, Earth observation, navigation, or on-orbit activities.

The Law of 15 December 2020 on Space Activity\(^9\) fills this gap. From 1 January 2021 onwards, future Luxembourg space operators can apply for an authorization of their space activity in or out of its territory, and the conditions for a successful application are known, as are the price and consequences.

Without any ambition to be encyclopedic, the article offers a picture of the developments of the 2020 Law on Space Activity of Luxembourg and focuses on its crucial provisions, mentioning several recent space acts adopted in Europe.

---

1. Status of international Agreements Relating to Activities in Outer Space as at 1 January 2020, unoosa.org, last visited on 18 January 2021.