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University of Luxembourg
Inaugural Lecture

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Wednesday, 29 February 2012

6 pm

Campus Limpertsberg

Lecture room Tavenas

102a, avenue Pasteur

L-2311 Luxembourg



UNIVERSITÉ DU
LUXEMBOURG



Faculty of Law,
Economics
and Finance

Prof. Dr. Mahulena Hofmann

Regulating Space Activities ?



According to the Outer Space Treaty, outer space is free for exploration and for exploitation by all States without discrimination. Despite this freedom, there are numerous States who have adopted space legislation in the intention to submit outer space activities to certain rules.

The lecture seeks to explain what seems to be a contradiction. It begins with the limitations of freedom of outer space prescribed by international law and explains why space faring States were ready to adopt legal limitations e.g. for military use of outer space.

The core of the lecture is the analysis of national space legislations. Based on the results of several international and national research projects, it presents the motives of adopting national space legislations, the advantages and disadvantages of their existence, their strengths and weaknesses. The participation of the author in the IAA Study "Protecting the Environment of Celestial Bodies" explains her passion for inviting States Parties of the Outer Space Treaty to include environmental measures aimed at planetary protection among the conditions for licensing space objects into their national space legislations.

The conclusion that freedom of outer space does not need to suffer from space regulations is based on two observations: Concerning the States, the room for their freedom of space activities has been already defined by the generally accepted international legal constraints. Concerning private entities, the limits of their freedoms are stipulated by the States under the control of whom these entities perform their space activities.

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Mahulena Hofmann, a German and Czech national, holds the SES Chair in Satellite Communications and Media Law at the University of Luxembourg. In her previous post at Justus Liebig University of Giessen, she was the Jean Monnet Chair in European Law and Transition Studies at the Faculty of Law. At the same time she served as a Senior Research Fellow at the Max Planck Institute for Comparative Public Law and International Law where her research activities were in the field of International Space and Telecommunications Law, as well as the public law of Central and Eastern European countries. Moreover, she always kept her working relations with the Charles University in Prague. Member of the European Centre for Space Law and an Expert Committee of the Council of Europe dealing with regional and minority languages, she has a rich scientific profile encompassing all aspects of Satellite Communication and Media Law. She is also a full member of the International Astronautical Academy.

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Introduction by André Prüm, Dean of the Faculty of Law, Economics and Finance. A reception will be held after the conference.