

## BELGIUM

### National mechanisms:

1. Law of 17 September 2005 on Activities of Launching, Flight Operation or Guidance of Space Objects (revised by the Belgian Parliament on 1 December 2013)
2. Royal Decree of 19 March 2008

### Description:

In Belgian Law, Space Debris issue is addressed under the provisions of the Law of 17 September 2005 on Activities of Launching, Flight Operation or Guidance of Space Objects (cf. article 4, §3, article 5, §1, and article 8, in particular §2, of the Law), as well as under the provisions of the Royal Decree of 19 March 2008 implementing some provisions of the Law (cf. article 7, §1, 3° and 4°, §2 and §4 on Nuclear Power Sources, of the Decree).

Neither the Law nor the Decree actually provides for technical space debris mitigation standards or norms to be complied with by the Operator, but it leaves to the Minister the possibility to impose to the Operator the compliance with standards and norms adopted by intergovernmental bodies and/or relevant non-governmental organizations. Such standards and norms are for instance the Space Debris Mitigation Guidelines adopted by the Committee on the Peaceful Uses of Outer Space, technical standards adopted by IADC, ESA norms & standards, ISO norms, national space agencies' norms, etc. (see below).

Technical compliance with those standards and norms may, if applicable, be supervised and checked by a technical expert designated by the Minister. For that purpose, a specific agreement has been concluded between the national authority (BELSPO) and ESA.

### Applicability:

The Law applies to any activity which is carried on by an Operator from the Belgian territorial jurisdiction. The Operator is now defined (in the revised text) as he who exercises the ultimate authority over the activity (that is, the maneuvering of the space object). In the case of non-maneuverable space objects, the Operator is identified by the Law as he who orders the launch of the object according to specific parameters.

The Law doesn't make any distinction in its application whether the Operator is of Belgian nationality or foreign nationality.

### Relation to international mechanisms:

Without prejudice to the Minister's decision on a case by case basis, it is likely that the conditions imposed to the Operator will refer to all the following instruments, standards and norms, provided that this doesn't result in any contradiction or redundancy: Space Debris Mitigation Guidelines of the Committee, IADC Space Debris Mitigation Guidelines,

ITU Recommendation ITU-R S.1003, European Code of Conduct for Space Debris Mitigation, and ISO Standards (24113: Space Systems – Space Debris Mitigation Requirements. Priority should be given to Space Debris Mitigation Guidelines of the Committee complemented by IADC Space Debris Mitigation Guidelines.

The possibility also exists for the King to impose compliance with those instruments, standards and norms to all Operators. This is likely to happen once the first implementing cases of the Law will be reviewed. For the moment, the Law has not yet been implemented and the impact of the application of those instruments, standards and norms on the Belgian space operations sector has still to be assessed. This is why a case by case approach has been adopted so far.

**Link to other national mechanisms:**

So far, there is none. Although, it is explicitly provided by the Law and the Royal Decree that the Minister may call upon the expertise of foreign organisations before taking his/her decision on the application for authorisation.

**References:**

- [http://www.belspo.be/belspo/space/beLaw\\_en.stm](http://www.belspo.be/belspo/space/beLaw_en.stm)