

IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
National space law and security – an update (5)

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SPACE LAW PRINCIPLES VERSUS NATIONAL LAW.
CASE STUDY FOR THE DETECTION OF DRUG TRAFFICKING VESSELS.

Abstract

This paper studies the alignment of national legislation with the principles of International Space Law in government security operations, through the analysis of the case study for the detection of drug trafficking vessels using open-source satellite data.

Acquiring Earth Observation satellite information is a priority for emerging countries, since these images can be used as a tool to reduce the digital divide and promote development. This data can be used for Disaster Risk Reduction (DRR), deforestation monitoring in the tropical forest, or border control to fight against transnational crime. That is why in the absence of their own space developments, which is a problem in most emerging countries, the use of open-source satellite data is relevant. This promising outlook brings about concerns regarding the international law that regulates outer space, and the impact that compliance would entail for emerging countries when developing this type of activity, either because of a lack of national space law or because international space law is not aligned with the national law that applies to the use of this technology.

We introduce a model to achieve alignment of international space law with the applicable domestic legislation based on the case study that allows satellite monitoring of vessels associated with drug trafficking, hoping that the model will serve as a reference for other processes of alignment of laws, allowing that the new space developments to be constantly articulated with space law principles.