

56th IAA HISTORY OF ASTRONAUTICS SYMPOSIUM (E4)
Memoirs & Organisational Histories (1)

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THE LIABILITY CONVENTION AT 50

Abstract

The Liability Convention was concluded and opened for signature on 29 March 1972, entering into force on 1 September 1972. 98 States have ratified the Liability Convention, 19 have signed but not ratified and four international intergovernmental organizations have declared their acceptance of the rights and obligations provided for in the Agreement as of 1 January 2021. The Convention on International Liability for Damage Caused by Space Objects, also known as the Space Liability Convention, expands on the liability rules created in the Outer Space Treaty of 1967. In 1978, the crash of the nuclear-powered Soviet satellite Kosmos 954 in Canadian territory led to the only claim filed under the convention. One of its key provisions is that States bear international responsibility for all space objects that are launched within their territory. In case of joint launches there is joint and several liability. Claims under the Liability Convention must be brought by the state against a state as the convention was created to supplement existing and future national laws providing compensation to parties injured by space activities. The paper will look at the drafting history, adoption, ratification process and the implementation of the agreement.