

Recasting Ukraine's Law on Space Activities in the Light of EU Space Governance Standards¹

Inesa Kostenko

Ph.D. in Law, Fellow Researcher, Trnava University (Trnava, Slovakia)
Senior Researcher at the Research Institute of State Building and Local Self-Government of
the National Academy of Legal Sciences of Ukraine (Kharkiv, Ukraine)
E-mail: inessakostenko2014@gmail.com
<https://orcid.org/0000-0002-8784-5422>

Kostenko, Inesa (2026) Recasting Ukraine's Law on Space Activities in the Light of EU Space Governance Standards. *Advanced Space Law*, Volume 17, 16-27. <https://doi.org/10.29202/asl/17/2>

The article examines the need to recast Ukraine's Law "On Space Activities" in light of the transformation of national, European and international approaches to the regulation of space activities. It argues that the Ukrainian legislative model established in the 1990s was historically justified, since it was aimed at preserving industrial, scientific and technological capacity after the dissolution of the Soviet Union. That model, however, was primarily sectoral and administrative: it focused on state programmes, licensing, certification and coordination of enterprises rather than on authorisation and continuing supervision of operators.

The article traces the evolution of Ukrainian space regulation from the establishment of the National Space Agency of Ukraine to the deregulatory reforms of 2015–2025. Particular attention is given to the partial dismantling of the previous licensing system and the incomplete formation of a modern permit-based regime for private space activities. The study further analyses the relevance of the EU Space Act Proposal, ESA Zero Debris Charter and European sustainability-oriented soft-law instruments. It concludes that fragmented amendments are no longer sufficient. Ukrainian space legislation requires broader recasting around authorisation, continuing supervision, liability allocation, cybersecurity, sustainability and proportional regulation of different categories of operators.

Keywords: Ukrainian space law; Law on Space Activities; EU Space Act Proposal; administrative procedure; space governance; operator-based regulation; space sustainability.

Received: 27 March 2026 / Accepted: 18 May 2026 / Published: 30 June 2026

¹ This article was prepared during a research stay at the Faculty of Law, Trnava University, conducted within the framework of the National Scholarship Programme of the Slovak Republic and the project "Harmonising Space Law and Space Sustainability: Slovak Lessons (2024 Act) and Ukraine's Integration into European Space Policy." Certain aspects of this research were presented and discussed during the General Meeting of the Association "COSMOS" (Ukraine) held on 30 April 2026. Further stages of the project will focus on the development of specific policy recommendations concerning the modernisation of Ukrainian space legislation, which are intended for submission to the State Space Agency of Ukraine.

© Kostenko, Inesa, 2026

Introduction

Ukraine's space legislation was formed under conditions in which space activity remained closely connected with the functioning of the industrial and scientific complex inherited after the dissolution of the Soviet Union. In the 1990s, the primary task of the State consisted in preserving technological capacity, maintaining production and research relations between enterprises, and ensuring implementation of national space programmes. Under such conditions, space activity was regarded mainly as an object of state administration and state industrial policy. The Law of Ukraine "On Space Activities" of 1996 reflected this approach quite clearly. Its provisions were directed towards organisation of state management in the field of space activity, coordination of enterprises and preservation of scientific and technical potential (Law of Ukraine No. 502/96-VR, 1996).

Over time, however, the organisation of space activities became considerably more diverse. Commercial launch services, private satellite systems and space-based data services gradually acquired practical importance alongside traditional state programmes. Ukrainian scholarship likewise increasingly connects development of the national space sector with technological transformation of satellite systems, dual-use infrastructure and new models of commercial activity (Lykhova et al., 2023). Under such conditions, national space legislation could no longer function merely as an instrument of sectoral administration and industrial coordination. Increasingly, it became necessary to regulate operators, missions, operational risks and continuing supervision of non-governmental space activities.

The Outer Space Treaty of 1967, together with the Liability Convention of 1972 and the Registration Convention of 1975, continues to establish the basic legal principles governing responsibility, liability and jurisdiction in outer space (United Nations, 1967, 1972, 1975). In particular, Article VI of the Outer Space Treaty obliges States to authorise and continuously supervise national activities in outer space, including activities carried out by non-governmental entities (United Nations, 1967). While the normative content of Article VI remains relatively stable, its practical implementation has become considerably more complex in an environment characterised by commercial launch operators, satellite constellations, in-orbit servicing missions and privately operated space-based data and communication infrastructures. In many jurisdictions, including Ukraine, domestic legislation was not originally designed for this type of operational environment.

The discussion surrounding reform of Ukrainian space legislation has therefore gradually moved beyond purely doctrinal debate. Ukrainian legal scholarship increasingly examines national space law as an autonomous and developing direction of contemporary jurisprudence rather than merely a specialised segment of industrial regulation (Sliusarenko, 2023). The issue has also entered the sphere of practical legislative planning. The Plan of Legislative Work of the Verkhovna Rada of Ukraine for 2026 links reform of space legislation with European integration and improvement of state administration in the field of space activities (Verkhovna Rada of Ukraine, 2026).

At the same time, developments within the European Union increasingly reshape the broader regulatory environment. The EU Space Act Proposal 2025 reflects an emerging transition towards harmonised European regulation centred upon authorisation, continuing supervision, cybersecurity, resilience and sustainability of space activities within the internal market (European Commission, 2025). As noted by the European Parliamentary Research Service, the proposal is directly connected with gradual harmonisation of national regulatory approaches governing space activities and services within the Union (European Parliamentary Research Service, 2025).

Against this background, fragmented amendments to the Law of Ukraine “On Space Activities” appear increasingly insufficient. The problem therefore concerns not merely modernisation of several administrative procedures, but transformation of the legislative logic underlying Ukrainian space regulation itself. The present article proceeds from the assumption that Ukrainian space legislation requires broader legislative recasting centred upon authorisation, continuing supervision, liability allocation, cybersecurity and sustainability-oriented regulation of operators. The article combines doctrinal legal analysis, historical reconstruction of the development of Ukrainian space legislation and comparative analysis of emerging European regulatory approaches to space activities.

Formation of the System of State Regulation of Space Activities in Ukraine: From Institutional Establishment to the Sectoral Administrative Model (1992–2015)

The formation of Ukrainian space legislation took place under conditions in which space activity remained closely connected with preservation of the industrial and scientific potential inherited after the dissolution of the Soviet Union. During the first years of independence, the State faced the task of maintaining technological capacity, maintaining technological and production relations between enterprises, and ensuring continuation of national space programmes. Under such conditions, space activity was perceived primarily as a sphere of state administration and state industrial policy rather than as a field of autonomous commercial operations.

An important step in the institutionalisation of state administration in this sphere was the establishment of the National Space Agency of Ukraine by Presidential Decree of 29 February 1992 (President of Ukraine, 1992). The newly established body was entrusted with functions characteristic of a central authority of sectoral administration, including coordination of enterprises and organisations involved in space activity, development of state policy proposals, preservation of scientific, technical and industrial potential, organisation of international cooperation and supervision over compliance with international legal obligations in the field of outer space activities. In institutional terms, the Agency was conceived primarily as a body of state administration of the scientific and industrial space sector rather than as an independent regulatory authority in the contemporary sense. Such an approach corresponded to the structure of the Ukrainian space industry of that period and to the broader administrative organisation of the post-Soviet economy.

The institutional foundations established in the early 1990s were subsequently reflected in the Law of Ukraine “On Space Activities” adopted in 1996 (Law of Ukraine No. 502/96-VR, 1996). The Law became the first comprehensive legislative act regulating space activities in independent Ukraine and laid the basis for the national administrative and legal regime in this field. At the same time, its legal construction clearly reflected the institutional priorities of the period in which it emerged. Considerable attention was devoted to state regulation of space activities, implementation of national space programmes, licensing, certification, registration of space objects and coordination of enterprises operating within the space sector.

The Law was therefore oriented primarily towards administration of the sector itself rather than supervision of individual operators or mission-based activities. The central role belonged to the State and to bodies exercising public-administrative competence in the field of space activities. The legal structure was built around categories such as state regulation, competence of executive authorities, certification, licensing and control over economic activity.

The category of a private operator of space activity did not occupy a central place within the original legislative structure.

This approach was generally understandable for the period in which the Law was adopted. In the 1990s, the Ukrainian space sector remained centred around state enterprises, industrial production chains and state programmes. Private participation in space activity was limited both nationally and internationally, while commercial launch services and private satellite systems had not yet acquired their later practical importance within the international space sector. Such legislative approaches were not unusual for national space legislation of that period.

The administrative orientation of Ukrainian space legislation became even more visible in presidential acts adopted in 1997 and 1998 concerning further development of space technologies and improvement of the efficiency of space activities (President of Ukraine, 1997; President of Ukraine, 1998). These acts strengthened the existing logic of state administration in the space sector. Their provisions focused on technological development, support of the national space industry, coordination of state policy and preservation of strategic scientific and production potential. In this respect, the presidential acts are important primarily as historical sources demonstrating the role assigned by the State to the space sector during the late 1990s. Space activity was treated as a strategically important sphere of technological and industrial policy requiring direct state coordination, preservation of scientific and production capacity and implementation through public-administrative mechanisms.

The administrative structure established by the Law of 1996 was further specified in Resolution of the Cabinet of Ministers of Ukraine No. 798 of 4 June 1998 "On Measures of State Regulation of Space Activities" (Cabinet of Ministers of Ukraine, 1998). The Resolution regulated the procedure for issuing licences for space activities and further defined the competence of the National Space Agency of Ukraine in the sphere of licensing and administrative control. In doctrinal terms, this act reflected the classical administrative-law construction characteristic of that period: determination of competence of executive authorities, implementation of state functions through executive bodies, licensing powers and control over compliance with licensing conditions in the space sector.

Particular importance during this period belonged to licensing mechanisms. The Joint Instruction of the Licensing Chamber of Ukraine and the National Space Agency of Ukraine of 19 November 1998 – currently no longer in force and used here solely for historical and doctrinal analysis – established licensing conditions for business activities related to space activities (Licensing, 1998). Licensing functioned mainly as an administrative mechanism granting business entities the right to conduct certain types of economic activity in the space sector. The central role belonged to compliance with licensing conditions and administrative control exercised by competent public authorities.

The same approach was reflected in Resolution of the Cabinet of Ministers of Ukraine No. 1698 of 14 November 2000 approving the list of licensing authorities, which included the National Space Agency of Ukraine among the state bodies exercising licensing powers in the relevant sphere (Cabinet of Ministers of Ukraine, 2000a). At that stage, legal regulation remained centred primarily on licensing and administrative control over enterprises engaged in space activities.

Standardisation and certification occupied an important place within the system of state regulation of space activities. Ukrainian legal scholarship regarded certification and standardisation as elements of state regulation and technical control over space objects and technologies (Yeshchuk & Novikova, 2019). In practice, the legal mechanisms operating during this period were directed mainly towards compliance with technical requirements,

certification procedures and administrative supervision over industrial activity connected with the space sector.

The same approach remained visible in the Law of Ukraine “On State Support of Space Activities” of 2000 and in Resolution No. 404 of the Cabinet of Ministers of Ukraine concerning preservation and further development of unique objects of space activities (Law of Ukraine No. 1559-III, 2000; Cabinet of Ministers of Ukraine, 2000b). The space sector continued to be viewed primarily as a strategic scientific and industrial sphere requiring state support, preservation of scientific and technical potential and coordination by public authorities.

This understanding of space activity was reflected in Ukrainian legal scholarship as well. Researchers connected the early development of national space legislation with mechanisms of state support and sectoral administration of the space industry (Zhuravlov & Halunko, 2019). From the standpoint of administrative law, the model formed during the period 1992–2015 created a coherent system of state management in the field of space activities. It determined the competence of public authorities, established licensing and certification procedures, provided for registration of space objects and ensured administrative control over enterprises operating in the space sector.

At the same time, the legal construction of this model remained closely connected with the industrial organisation of the sector and the system of state programmes characteristic of that period. Regulation was directed mainly towards coordination of enterprises, implementation of state programmes and control over economic activity in the space industry. In institutional terms, Ukrainian space legislation functioned primarily as a mechanism of state administration and support of the space sector. Questions related to supervision of non-governmental activities, authorisation of particular operations and other forms of operational regulation became more visible somewhat later, together with the gradual expansion of commercial participation in space activities and further transformation of the space sector itself.

Transformation of the Authorisation and Licensing Model of Space Activities: Deregulation or Loss of Regulatory Capacity? (2015–2025)

A new stage in the development of Ukrainian space legislation began after 2015. Unlike the earlier period, the central issue no longer concerned preservation of the industrial structure inherited from the Soviet period. Legislative reform increasingly focused on deregulation, reduction of administrative barriers and liberalisation of economic activity. In the space sector, however, such changes created a more complicated legal situation. Space activity remained connected with international responsibility of the State, technological risks, dual-use technologies and security interests. Under these conditions, simplification of administrative regulation did not automatically mean creation of a modern regulatory model.

An important institutional step during this period was adoption of Resolution of the Cabinet of Ministers of Ukraine No. 281 of 14 May 2015 approving the Regulation on the State Space Agency of Ukraine (Cabinet of Ministers of Ukraine, 2015). The Resolution formally reorganised the institutional status of the Agency and repealed earlier acts connected with the National Space Agency of Ukraine. At the same time, the reform remained largely organisational. The State Space Agency of Ukraine retained functions connected with the formation and implementation of state policy in the space sector, coordination, and international cooperation. Yet the institutional reform was not accompanied by the creation of a new regulatory architecture adapted to the gradual expansion of private and commercial space activity.

The problem therefore did not concern the renaming or reorganisation of the Agency as such. The deeper issue consisted in the absence of a comprehensive transition from the earlier sectoral-administrative model towards a modern system of operator-based regulation. The Agency did not receive a clearly developed system of powers connected with technical assessment of missions, continuing supervision, post-authorisation monitoring or risk-oriented oversight of private operators.

A much more significant change came with adoption of the Law of Ukraine "On Licensing of Types of Economic Activity" No. 222-VIII in 2015 (Law of Ukraine No. 222-VIII, 2015). For the space sector, this reform extended beyond general deregulation of economic activity. The earlier licensing architecture governing space activities was substantially transformed, resulting in a significant reduction of licensing mechanisms that had previously formed part of the sectoral model of state regulation.

These changes caused criticism in Ukrainian legal scholarship. N. R. Malysheva and A. M. Hurova reasonably noted that deregulation in the space sphere could not be assessed only through the category of freedom of entrepreneurial activity (Malysheva & Hurova, 2016). Space activity has another legal nature. It is connected with international obligations of the State, export control, technological safety, dual-use technologies and potentially significant risks for third parties. Because of this, mechanical transfer of general deregulatory approaches into the space sector inevitably created regulatory gaps.

The key problem after 2015 did not consist in deregulation as such. The more fundamental issue was that dismantling of the previous licensing architecture was not accompanied by formation of a coherent system of authorisation and continuing supervision corresponding to Article VI of the Outer Space Treaty. The earlier licensing model functioned primarily as an instrument of sectoral administrative control over economic activity. Once significant parts of that model were removed, Ukrainian legislation did not simultaneously develop a modern supervisory framework centred upon mission-based authorisation, technical assessment of operations, continuing supervision of operators, reassessment of operational risks and state intervention powers throughout the lifecycle of space activities. As a result, deregulation partially reduced administrative barriers, yet it also exposed structural gaps in the national system of implementation of international obligations connected with supervision of non-governmental space activities.

Part of these problems was later addressed by the Law of Ukraine No. 143-IX of 2019 concerning state regulation of space activities (Law of Ukraine No. 143-IX, 2019). The Law abolished the state monopoly in most areas of space activity and opened this sphere to private operators. Simultaneously, a permit regime was introduced for particular types of space activities.

This was already a different regulatory logic. Still, the reform remained incomplete. In modern space law, authorisation is normally connected not only with admission to activity, but also with assessment of a concrete operation, technical characteristics of the mission, insurance, allocation of liability and subsequent supervision by the State. Ukrainian legislation approached such a model only fragmentarily.

Further procedural regulation appeared in Resolution of the Cabinet of Ministers of Ukraine No. 197 of 26 February 2020 approving the procedure for issuing, refusing and cancelling permits for certain types of space activities (Cabinet of Ministers of Ukraine, 2020). The Resolution defined the applicant, the list of required documents, grounds for refusal, cancellation procedures and possibilities for appeal. In administrative-law terms, the permit acquired the features of an individual administrative act.

Yet the procedure itself remained relatively narrow. The main attention was concentrated on obtaining permission to start activity. The Resolution did not establish a full system of continuing supervision after authorisation. Questions of operational intervention, modification of mission conditions, ongoing monitoring or reassessment of technical risks were regulated only superficially. In essence, the permit still functioned mainly as an instrument of admission to activity.

An important general change occurred with adoption of the Law of Ukraine “On Administrative Procedure” in 2022 and Law No. 4017-IX connected with its implementation (Law of Ukraine No. 2073-IX, 2022; Law of Ukraine No. 4017-IX, 2024). These acts introduced common procedural standards for the activity of public administration in Ukraine. Although the legislation is not sector-specific, it is also relevant for the sphere of space activities, since authorisation and supervisory decisions increasingly acquire the characteristics of administrative acts requiring procedural guarantees, proper reasoning and compliance with general principles of public administration.

Still, the general procedural framework could not resolve the specific regulatory problems of space activities. Space operations involve technological risks, safety issues and international responsibility that require special rules concerning technical assessment, supervision and control throughout the duration of the activity itself.

The limits of purely deregulatory logic become even clearer in light of legislation governing international transfers of military and dual-use goods. The Law of Ukraine “On State Control over International Transfers of Military and Dual-Use Goods” No. 549-IV of 2003 demonstrates that space technologies remain closely connected with export control and national security policy (Law of Ukraine No. 549-IV, 2003). This concerns remote sensing technologies, satellite communications, launch technologies, and other systems capable of both civilian and military application.

Under such conditions, space activity could no longer be treated simply as an ordinary sphere of economic activity. During 2015–2025, the previous model of sectoral administrative control was substantially weakened. A new model based on full authorisation and continuing supervision, however, was formed only partially.

European Transformation of Space Regulation and the Need for a Full Recast of the Law of Ukraine “On Space Activities”

Reform of Ukrainian space legislation increasingly develops under the influence of changes taking place within European regulation of space activities. Revision of separate procedures or redistribution of competences between public authorities no longer changes much. The assumptions underlying regulation itself are changing.

The Law of Ukraine “On Space Activities” belongs to another institutional and technological period. Its legislative construction reflected the organisation of the sector characteristic of the 1990s – state programmes, preservation of industrial capacities, administrative coordination of enterprises, domination of state-owned actors. The law proceeded from the understanding of the space sector primarily as a strategic branch of industry requiring administrative management and state coordination. In many respects, this reflected the post-Soviet structure of the sector itself.

Contemporary European regulation develops from different premises. Attention shifts towards operators, particular missions, orbital risks, circulation of space-based data, continuity of satellite services. Cybersecurity appears within the same legal field together with debris

mitigation and technical safety requirements. This is already visible in the EU Space Act Proposal presented by the European Commission in 2025 (European Commission, 2025).

The proposal itself is built largely around the functioning of the internal market for space services and space-based data. Fragmentation of national legislation is treated there primarily as a practical obstacle for operators functioning across several jurisdictions. Different authorisation procedures. Different supervisory structures. Different approaches to continuing supervision and technical certification. Regulatory fragmentation here already affects financing, insurance mechanisms, contractual relations and participation in cross-border projects.

Earlier national legislation was constructed mainly around administration of a domestic industrial sector. The future European approach increasingly concerns continuing supervision over activities taking place within a shared orbital space saturated with commercial operators, interconnected infrastructures and permanent circulation of data. The European Parliamentary Research Service directly notes that the future framework extends beyond the traditional licensing model and includes supervision, registration, orbital traffic management and enforcement mechanisms (European Parliamentary Research Service, 2025). In some situations, the regime may also apply to operators from third countries providing services within the European Union.

Territoriality therefore functions differently here than within classical administrative regulation.

Safety, resilience and sustainability form the core structure of the future European approach. Yet the content of these categories changes as well.

Safety concerns not merely technical reliability of a space object. Collision avoidance, trackability, orbital traffic management and debris mitigation increasingly become elements of one authorisation regime and one supervisory structure. Resilience concerns continuity of services, cybersecurity obligations and protection of critical infrastructure. Sustainability introduces requirements connected with environmental impact, end-of-life disposal and reduction of debris generation in orbit (European Commission, 2025). Public interest in space activities is no longer confined to industrial policy or state supervision over enterprises. The orbital environment itself gradually becomes an object of regulatory protection.

Soft-law instruments play an important role here, sometimes earlier and more effectively than binding legislation itself. The Sofia Guidelines for a Model Law on National Space Legislation adopted by the International Law Association in 2012 formulated what later became standard structural elements of national space legislation: authorisation, continuing supervision, registration, liability, insurance, transfer of ownership and control over space objects (International Law Association, 2012). Yet the more important point lies elsewhere. National legislation is increasingly viewed as an internal administrative mechanism through which States organise continuing supervision over non-governmental activities in outer space and implement obligations arising from international space law.

A similar tendency appears in the COPUOS Guidelines for the Long-Term Sustainability of Outer Space Activities adopted in 2019 (United Nations Committee on the Peaceful Uses of Outer Space, 2019). Sustainability already moves beyond political declarations and voluntary policy formulations. It enters the sphere of authorisation requirements, supervisory standards and continuing control over national activities.

The ESA Zero Debris Charter of 2023 reflects much the same shift (European Space Agency, 2023). Earlier approaches concentrated mainly upon mitigation of debris after completion of missions. Current approaches are operationally broader and considerably stricter already at the stage of mission planning itself. Responsibility increasingly concerns the entire operational

lifecycle. Mission-end obligations. Reduction of debris generation from the beginning of orbital activity rather than afterwards.

Continuing supervision again appears central. From the standpoint of administrative law, these developments are important for another reason as well. Regulation of space activities no longer functions through one vertically organised authority acting more or less in isolation. Regulatory competence becomes institutionally dispersed. Export-control procedures, cybersecurity structures, insurance mechanisms, technical certification, registries and international coordination procedures increasingly operate within the same supervisory field, although not always coherently.

Black describes such systems as polycentric regulatory regimes in which legitimacy, expertise and responsibility become distributed among multiple actors rather than concentrated exclusively within the state apparatus (Black, 2008). For Ukraine, this observation already carries direct practical significance. This is particularly relevant in relation to continuing supervision, supervisory competence, and allocation of regulatory functions between different public authorities.

The earlier legislative construction based mainly upon issuance of permits by one administrative body appears progressively less adequate. This becomes especially visible in relation to cybersecurity obligations, technical monitoring, dual-use review procedures and continuing supervision mechanisms, which in practice already extend beyond the competence of the space agency itself.

The limitations of the Law of Ukraine “On Space Activities” therefore concern not merely several outdated provisions or absence of particular modern procedures. The problem lies deeper. It lies in the legislative construction itself and in the assumptions on which that construction was originally based.

Even outside the formal framework of EU accession, compatibility with emerging European regulation already carries practical significance. Participation in European supply chains, access to insurance markets, cooperation with European operators and attraction of investment increasingly depend upon predictability of supervisory procedures and confidence in the national authorisation regime. Fragmentary amendments alone will hardly resolve these problems.

Contemporary regulation of space activities already requires mission-based authorisation, continuing supervision, operational traceability, cybersecurity obligations, sustainability requirements and mechanisms of liability allocation integrated into one supervisory structure. The existing law was designed for another technological structure of the sector and another regulatory environment altogether.

Questions of authorisation, registration, liability allocation, cybersecurity review and supervision of dual-use activities can hardly remain dispersed indefinitely between separate legislative acts and subordinate procedures. Yet another problem emerges here as well. The future system cannot simply reproduce identical compliance burdens for all categories of operators. Universities, research institutions and smaller operators objectively possess different operational capacities and different levels of risk. Whether the existing legislative structure is capable of accommodating such differentiation at all remains increasingly doubtful.

Conclusions

Development of Ukrainian space legislation reflects broader changes in the legal nature of space regulation itself. The original legislative model of the 1990s had its own historical

rationality. At that stage, preservation of industrial infrastructure, technological capacities and scientific potential inherited after the collapse of the Soviet Union constituted one of the principal objectives of state policy. Space law therefore functioned mainly as an instrument of administration within a strategic industrial sector.

Today this logic no longer fully corresponds to the organisation of contemporary space activities. Commercial operators, private satellite services, circulation of satellite data, dual-use technologies and complex operational risks increasingly determine the structure of the sector itself. The central legal figure also changes. Regulation becomes connected less with enterprises of the space industry as such and more with operators conducting particular missions under conditions of technological and legal risk.

For this reason, isolated amendments to the Law of Ukraine “On Space Activities” are increasingly incapable of resolving the broader regulatory problem. A legislative model originally designed for administration of a predominantly state-centred industrial sector cannot easily be transformed into a contemporary space act through fragmentary revisions.

The European approach reflected in the EU Space Act Proposal demonstrates another regulatory logic. Safety, resilience and sustainability increasingly function as organising categories of space regulation. Authorisation becomes linked with continuing supervision, operational monitoring, cybersecurity obligations, debris mitigation and assessment of long-term operational risks connected with space activities. At the same time, contemporary European space governance increasingly develops around risk-based and proportionate supervision adapted to different categories of operators and missions.

The future Ukrainian Space Act therefore concerns not merely modernisation of several administrative procedures. The matter is deeper than technical legislative updating. It concerns reconstruction of the legislative architecture through which the State implements authorisation and continuing supervision of national space activities under contemporary technological and geopolitical conditions. Predictability of authorisation and supervision here acquires direct practical significance. Without it, participation in insurance markets, European industrial cooperation and cross-border space activities becomes increasingly difficult. Mere amendment of separate provisions will hardly resolve these problems.

References

- Black, J. (2008) Constructing and contesting legitimacy and accountability in polycentric regulatory regimes. *Regulation & Governance*, 2(2): 137–164. <https://doi.org/10.1111/j.1748-5991.2008.00034.x>
- Cabinet of Ministers of Ukraine (1998) On measures of state regulation of space activities, Resolution No. 798 of 4 June 1998. Available online: <https://zakon.rada.gov.ua/laws/show/798-98-%D0%BF#Text>
- Cabinet of Ministers of Ukraine (2000a) On approval of the list of licensing authorities, Resolution No. 1698 of 14 November 2000 (historical act; no longer in force, used for doctrinal analysis). Available online: <https://zakon.rada.gov.ua/laws/show/1698-2000-%D0%BF>
- Cabinet of Ministers of Ukraine (2000b) On measures to ensure the functioning, preservation and further development of unique objects of space activities, Resolution No. 404 of 26 February 2000. Available online: <https://zakon.rada.gov.ua/laws/show/404-2000-%D0%BF#Text>
- Cabinet of Ministers of Ukraine (2015) On approval of the Regulation on the State Space Agen-

- cy of Ukraine, Resolution No. 281 of 14 May 2015. Available online: <https://zakon.rada.gov.ua/laws/show/281-2015-%D0%BF#Text>
- Cabinet of Ministers of Ukraine (2020) On approval of the Procedure for issuing, refusing to issue and cancelling permits for certain types of space activities, Resolution No. 197 of 26 February 2020. Available online: <https://zakon.rada.gov.ua/laws/show/197-2020-%D0%BF#Text>
- European Commission (2025) *Proposal for a Regulation of the European Parliament and of the Council on the safety, resilience and sustainability of space activities in the Union*, COM(2025) 335 final. Available online: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52025PC0335>
- European Parliamentary Research Service (2025) *EU Space Act: EU legislation in progress*. European Parliament. Available online: https://www.europarl.europa.eu/RegData/etudes/BRIE/2025/775922/EPRS_BRI%282025%29775922_EN.pdf
- European Space Agency (2023) *Zero Debris Charter*. https://www.esa.int/Space_Safety/Zero_Debris_Charter
- International Law Association (2012) *Sofia Guidelines for a Model Law on National Space Legislation*. Available online: https://www.unoosa.org/documents/pdf/spacelaw/activities/2013/ila_report_2012.pdf
- Law of Ukraine No. 143-IX (2019) On amendments to certain laws of Ukraine concerning state regulation of space activities. Available online: <https://zakon.rada.gov.ua/laws/show/143-IX#Text>
- Law of Ukraine No. 1559-III (2000) On state support of space activities. Available online: <https://zakon.rada.gov.ua/laws/show/1559-14#Text>
- Law of Ukraine No. 2073-IX (2022) On administrative procedure. Available online: <https://zakon.rada.gov.ua/laws/show/2073-20#Text>
- Law of Ukraine No. 222-VIII (2015) On licensing of types of economic activity. Available online: <https://zakon.rada.gov.ua/laws/show/222-19#Text>
- Law of Ukraine No. 4017-IX (2024) On amendments to certain legislative acts of Ukraine in connection with the adoption of the Law of Ukraine “On Administrative Procedure”. Available online: <https://zakon.rada.gov.ua/laws/show/4017-20#Text>
- Law of Ukraine No. 502/96-VR (1996) On space activities. Available online: <https://zakon.rada.gov.ua/laws/show/502/96-%D0%B2%D1%80#Text>
- Law of Ukraine No. 549-IV (2003) On state control over international transfers of military and dual-use goods. Available online: <https://zakon.rada.gov.ua/laws/show/549-15#Text>
- Licensing Chamber of Ukraine & National Space Agency of Ukraine (1998) On approval of the Instruction on licensing conditions for space activities. Joint Order No. 46/96 of 19 November 1998 (historical act; no longer in force, used for doctrinal analysis). Available online: <https://zakon.rada.gov.ua/laws/show/z0711-98#Text>
- Lykhova, S. Ya., Bilenchuk, P. D., & Obikhod, T. V. (2023) Aviation and space industry of Ukraine: Technological and legal prospects for development. *Yurydychnyi visnyk “Povitriane i kosmichne pravo”*, 68(3): 25–35. <https://doi.org/10.18372/2307-9061.68.17970>
- Malysheva, N. R., & Hurova, A. M. (2016) Innovations in the permit procedure for space activities: Objective necessity or tribute to the times? *Space Science and Technology*, 22(6): 37–45. <https://doi.org/10.15407/knit2016.06.037>
- President of Ukraine (1992) On the establishment of the National Space Agency of Ukraine, Decree No. 117 of 29 February 1992. Available online: <https://zakon.rada.gov.ua/>

- laws/show/117/92#Text
- President of Ukraine (1997) On measures for the further development of space technologies, Decree No. 202/97 of 4 March 1997. Available online: <https://zakon.rada.gov.ua/laws/show/202/97>
- President of Ukraine (1998) On measures to improve the efficiency of space activities, Decree No. 1190/98 of 27 October 1998. Available online: <https://zakon.rada.gov.ua/laws/show/1190/98>
- Sliusarenko, K. R. (2023) Development of national space law as a direction of modern jurisprudence. *Law and Public Administration*, 4: 376–382. <https://doi.org/10.32782/pdu.2023.4.50>
- United Nations Committee on the Peaceful Uses of Outer Space (2019) *Guidelines for the long-term sustainability of outer space activities*. United Nations Office for Outer Space Affairs. Available online: <https://www.unoosa.org/oosa/en/ourwork/topics/long-term-sustainability-of-outer-space-activities.html>
- United Nations (1967) *Treaty on principles governing the activities of States in the exploration and use of outer space, including the Moon and other celestial bodies*. Available online: <https://www.unoosa.org/oosa/en/ourwork/spacelaw/treaties/outerspacetreaty.html>
- United Nations (1972) *Convention on international liability for damage caused by space objects*. Available online: <https://www.unoosa.org/oosa/en/ourwork/spacelaw/treaties/liability-convention.html>
- United Nations (1975) *Convention on registration of objects launched into outer space*. Available online: <https://www.unoosa.org/oosa/en/ourwork/spacelaw/treaties/registration-convention.html>
- Verkhovna Rada of Ukraine (2026) On the Plan of Legislative Work of the Verkhovna Rada of Ukraine for 2026, Resolution No. 4774-IX of 10 February 2026. Available online: <https://zakon.rada.gov.ua/laws/show/4774-20#Text>
- Yeshchuk, O., & Novikova, M. (2019) Legal regulation of standardization and certification of space objects. *Advanced Space Law*, 4: 107–115. <https://doi.org/10.29202/asl/2019/4/10>
- Zhuravlov, D., & Halunko, A. (2019) Features of legal support of space activities in Ukraine. *Advanced Space Law*, 4: 116–124. <https://doi.org/10.29202/asl/2019/4/11>