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## FOREWORD TO ISSUE 2/2023

### SPACE LAWS AND REGULATIONS. WHAT ROLE FOR PUBLIC AND PRIVATE INTERNATIONAL LAW?

In its second issue of 2023, the JMLI hosts a thematic section on “Space laws and regulations. What role for public and private international law”. The rationale is to give “space” to a topic which deserves attention, also from the legal sector. It is a fact that currently the “space industry” is being reinvigorated by both the public and private sectors, at both the international and national level. Particularly, the combination of the increased level of “technology sophistication” with the entrance into the space activity of private parties, is requiring a prompt legislative answer in term of, among all, liability issues, public-private relationships, property issues, sustainable development (such as the environmental impact).

Within the said framework, the Editorial Board has welcomed contributions addressing the main question raised by the call for papers: “to what extent public and private international law play or might play an (increased) role in the regulation, and implementation of public and private space activities”.

The first paper “Addressing space environmental safety” provides a detailed analysis on the relationship between the space industry and environmental issue. The attempt is to suggest a solution to align innovation according to the already well-known precautionary principle. The second paper on “The EU call to bridge the digital divide: the new IRIS constellation and legal challenges in outer space” proposes a focus on the EU political agenda on outer space activities, with a focus on IRIS constellation which is a topic deserving much attention. Lastly, the paper on “Property on space resources: the search for a terminology. A focus on the Moon and its mineral resources” deals with property issues on space objects. The line of reasoning suggested by the Author proves that the “scenario” might change, but the legal questions related to the property remain the same.

The said section is opened by two innovation letters addressing the topic from two different, however strictly linked, perspectives. The “Present and the future of Space Law” clearly sums up the most relevant legal issues raised at both international and

national level by the space industry, while “The regulatory odyssey: Navigating the uncharted realm of space innovation” shows that an analysis on space industry needs necessarily to understand the “technological aspect”. In other words, any attempt to analyse the legal issues linked to space industry and space activities must prove to be backed by at least some basic knowledge on the technical aspects. Orbits and satellites, radio frequencies allocation and liability can be framed within clear and truly effective legal provisions as long as it is clear what space objects are, how they work, and how space activities are conducted.

The Editorial Board appreciates the overall result which testifies one of the key standpoints of this Journal: law and innovation cannot get rid of each other's. The question at stake is to pave the way to combine them through an integrated reasoning.

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