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Item No. 7 on the agenda: International Interests in Mobile Equipment

(c) Implementation and status of the Space Protocol

(prepared by the Secretariat)

<i>Summary</i>	<i>Update on the implementation and status of the Space Protocol to the Cape Town Convention</i>
<i>Action to be taken</i>	<i>The UNIDROIT Secretariat invites the Governing Council to take note of the activities in relation to the implementation of the Space Protocol</i>
<i>Mandate</i>	<i>Work Programmes 2014-2016, 2017-2019, 2020-2022, 2023-2025</i>
<i>Priority level</i>	<i>High</i>
<i>Related documents</i>	<u>UNIDROIT 2019 – C.D. (98) 17</u> ; <u>UNIDROIT 2020 – C.D. (99) B.13</u> ; <u>UNIDROIT 2021 – C.D. (100) B.10</u> ; <u>UNIDROIT 2022 – C.D. (101) 13</u> ; <u>UNIDROIT 2023 – C.D. (102) 15</u> ; <u>UNIDROIT 2023 – A.G. (81) 9</u> ; <u>UNIDROIT 2024 – C.D. (103) 15</u>

I. INTRODUCTION

1. The Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Space Assets (the Space Protocol) was opened to signature in Berlin on 9 March 2012. The Space Protocol is not yet in force.

2. Under the 2023-2025 Work Programme, the implementation of the Space Protocol continues to be given a high degree of priority ([UNIDROIT 2022 – C.D. \(101\) 21](#), para. 277; [UNIDROIT 2023 – A.G. \(81\) 9](#), para. 67). This document provides an update on the Institute's Depositary functions and additional details on UNIDROIT's activities regarding promotion and implementation of the Space Protocol since the 103rd session of the Governing Council in May 2024.

II. STATUS

3. UNIDROIT has been designated as the Depositary of the Space Protocol (pursuant to its Article XLVIII (1)), which will enter into force following the procedure provided for in Article XXXVIII. As of

10 April 2025, the Space Protocol has four Signatory States (Burkina Faso, Germany, Saudi Arabia and Zimbabwe) and one contracting State (Paraguay). See Annexe for further details.

4. On 27 November 2024, First Secretary Mr Miguel Dionisi Battilana, acting on behalf of Her Excellency Ambassador of Paraguay to Italy Ms Maria Jose Argana Mateu, delivered the instrument of accession to the Space Protocol to UNIDROIT, thereby making Paraguay the first contracting State to the Space Protocol and the first State to become a party to the Convention and all four Protocols (including the Luxembourg Rail and MAC Protocols, which were ratified at the same time).

III. ACTIVITIES

5. UNIDROIT's responsibilities as Depositary of the Space Protocol are specified in the instrument and, as for the Convention and the other Protocols, include the operation of a system for the receipt and notification of all instruments of ratification, declarations, and other documents lodged with the Depositary.

6. Pursuant to Resolution 1 of the Diplomatic Conference for the adoption of the Space Protocol adopted on 9 March 2012, a Preparatory Commission was established to act as Provisional Supervisory Authority for the establishment of the International Registry for Space Assets. In 2017, the Commission's Members agreed to shift the focus of the Preparatory Commission's work and constitute a Sub-Group of experts to reassess industry participation for the promotion and development of the Space Protocol, which was considered a key factor in gaining support for the implementation of this instrument. Work is continuing to ensure that this goal is reached.

7. In addition, the Secretariat has continued to develop and enhance strategic partnerships to promote the Protocol and generally support the understanding of asset-based financing in the space sector, through cooperation with intergovernmental organisations and other key global actors in the space sector.

A. Cooperation with intergovernmental organisations

8. UNIDROIT was granted Observer status at the Committee on the Peaceful Uses of Outer Space (COPUOS). Since the last session of the Governing Council, the Secretariat delivered a statement on the Space Protocol for the 67th plenary session of COPUOS (19-28 June 2024).

B. Cooperation with other international organisations

9. The UNIDROIT Secretariat continued to engage in fruitful cooperation with the International Astronautical Federation (IAF). In particular, on 2 July 2024, Legal Officer Mr Ian Li attended the International Space Forum (ISF) at Ministerial Level of the International Astronautical Federation.

10. The Secretariat also participated as an observer institution in the IAF Committee for Liaison with International Organizations and Developing Nations (CLIODN). The Deputy Secretary-General attended the CLIODN meeting during the International Astronautical Conference held in Milan (Italy) on 15 October 2024, as well as subsequent remote meetings in 2025.

C. Conferences and other events

11. The UNIDROIT Secretariat continued its engagement with the International Astronautical Conference (IAC), which is an international conference featuring all global space actors, including governmental agencies, academics, industry players, and attracting more than 6,000 participants each year. The Deputy Secretary-General participated in the 2024 IAC, entitled "Responsible Space for Sustainability", which took place from 14 to 18 October 2024 in Milan (Italy). In the framework

of the Conference, she held meetings with State delegations (in particular, from Singapore) and with stakeholders active in the space sector.

12. Additionally, in the framework of the MoU signed with the Space Economy Evolution (SEE) Lab of the SDA Bocconi School of Management, the UNIDROIT President and Deputy Secretary-General participated in the launch of the partnership with the Director of SEELab, Ms Simonetta Di Pippo, on 16 October 2024 in Milan (Italy).

13. Furthermore, the UNIDROIT Secretariat continues to participate in the series of online workshops organised by the Dubai International Financial Centre on various topics connected to space law.

14. Finally, the Space Protocol was featured in several lectures and workshops. In particular, its potential role in facilitating the financing of new space activities was presented within the 2024 International Programme for Law and Development (IPLD) by guest lecturer Mr Hamza Hameed, as well as in lectures to master's degree students, such as to the Master of International Business Law at Sapienza University in Rome (Italy), delivered by the UNIDROIT Secretariat (Legal Officer Mr Ian Li). The Secretariat will also offer such lectures and workshops in 2025, for the fourth edition of the IPLD (Africa Plus) and the first edition of the IPLD Central Asia, Balkans, Eastern Partnership and Caucasus.

15. The Secretariat will continue to monitor developments in relation to the space sector and to promote the Space Protocol pursuant to its mandate.

IV. ACTION TO BE TAKEN

16. *The UNIDROIT Secretariat invites the Governing Council to take note of the activities in relation to the implementation of the Space Protocol.*

ANNEXE

**PROTOCOL TO THE CONVENTION ON INTERNATIONAL INTERESTS IN MOBILE EQUIPMENT ON MATTERS
SPECIFIC TO SPACE ASSETS**

***PROTOCOLE PORTANT SUR LES QUESTIONS SPECIFIQUES AUX BIENS SPATIAUX A LA CONVENTION RELATIVE
AUX GARANTIES INTERNATIONALES
PORTANT SUR DES MATERIELS D'EQUIPEMENT MOBILES***

as of 10 April 2025 / *au 10 avril 2025*

Adoption: Place: Berlin / *Lieu: Berlin*

Date: 09.03.2012

Entry into force / *Entrée en vigueur*: Not in force / *Pas encore en vigueur* (ex Article XXXVIII)

Depositary / *Dépositaire*: UNIDROIT

STATE / <i>ÉTAT</i>	SIGNATURE	RATIFICATION (RT) ACCEPTANCE / <i>ACCEPTATION</i> (AC) APPROVAL / <i>APPROBATION</i> (AP) ACCESSION / <i>ADHÉSION</i> (AS)	DECLARATIONS	ENTRY INTO FORCE / <i>ENTREE EN VIGUEUR</i>
Burkina Faso	09.03.2012	–	–	–
Germany / <i>Allemagne</i> (with declaration at signature / <i>avec</i> <i>déclaration à la signature</i>)	21.11.2012	–	–	–
Paraguay	–	27.11.2024	–	–
Saudi Arabia / <i>Arabie saoudite</i>	09.03.2012	–	–	–
Zimbabwe	09.03.2012	–	–	–