

National Law of the Republic of Kazakhstan and International Outer Space Law

Abaideldinov Yerbol Musinovich

L.N. Gumilyov Eurasian National University, Kazakhstan, 010000, Astana, Mirzoyan Street, 2

Kulikpayeva Mira Zhumagazyevna

*L.N. Gumilyov Eurasian National University, Kazakhstan, 010000, Astana, Mirzoyan Street, 2
mira16_astana@mail.ru*

Shakhmova Aigul Anuarbekovna

L.N. Gumilyov Eurasian National University, Kazakhstan, 010000, Astana, Mirzoyan Street, 2

Doi:10.5901/mjss.2015.v6n6p227

Abstract

This article is devoted to research on issues of international space law. The Republic of Kazakhstan, on the territory of which is a unique and the largest in the world "Baikonur" cosmodrome, is developing its own space branch consistently. At the present time, the complex "Baikonur" is leased by Russian Federation on the base of Lease Treaty of 1994. However, it does not hinder the development of international cooperation with other countries in space activities in any way. Bilateral agreements with a number of states on the implementation of joint space programs and projects are concluding. Among the partners such state as Russia, China, USA, Japan, India, Germany, France and others. In addition, Kazakhstan participates in multilateral and regional agreements in the field of space activities. The purpose of this article is to determine the degree of international space law implementation in the juridical regulations of the Republic of Kazakhstan and to find out inconsistencies of norms.

Keywords: *Kazakhstan, national legislation, international space law, international cooperation, international treaties, UN Committee on the Peaceful Uses of Outer Space.*

1. Introduction

The Republic of Kazakhstan as an independent state is an active entity of international law.

The independence has set new goals and challenges for the young state. The rapid development of scientific and technological progress causes the emergence of new sectors of the economy. Many states recognize the need to rebuild the economy in non-primary focus (indeed of raw material resources).

Space activities as one of the sectors of the "smart" economy is intended to enter into a locomotive advanced sectors of the economy to ensure the viability of the state.

Developing its own space activities Kazakhstan has set itself ambitious goals.

In his Address "Strategy Kazakhstan-2050: new political course of the established state" the President of the Republic of Kazakhstan, Leader of the nation N. Nazarbayev clearly stated that by 2030 Kazakhstan should expand its niche in the world-wide market and accomplish a number of projects implemented [Address by the President of the Republic of Kazakhstan].

Creating own space branch and elimination of its products to the market of space services requires not only human, technical, financial costs and resources. It is obviously to be elaborated international legal base and national legislation, to be developed an international cooperation. In this regard, it is necessary to research the substance of the national legal framework of the Republic of Kazakhstan for outer space affairs. Along with this we should pay attention to the issues and problems of conducting of international space law to the national legislation.

On the base of conducted research there are following results:

- At present time, the complex "Baikonur" is leased to rent until 2050 by the Russian Federation under the Lease Treaty of 1994. This fact indicates that an interaction between jurisdictions at the level of two states - Kazakhstan and Russia - is not only on the complex, but also in regard to the city with its infrastructure.
- Kazakhstan is a member of the UN Committee on Outer Space. As a Member State, in 1997 the country has

- joined to the fundamental international instruments in the framework of the UN (Outer Space Treaty, etc.), which norms have been implemented in national law, including the Law "On Space Activities".
- At the regional level there is agreement within the CIS and the Eurasian Economic Union, which enshrines the right of implementation of international programs. However, some difficulties in implementation arise due to the high cost and different levels of social-economic development of Member States.
 - On bilateral level is signed a number of international treaties (agreements, memorandums and others.). Among the partners are countries such as Germany, India, Israel, France, China, Japan and others. The analysis is showed that such treaties are in their content as a public law (the level of interstate relations) and private nature (the possibility of cooperation on the level of legal individual states).
 - In Kazakhstan, for a long time there wasn't special law that would regulate all the issues and conflicts that arise in the field of space activities. Space branch of the country is subject to the rules of regulations (programs, strategic plans, decrees, etc.). In 2012 such law - the Law of the Republic of Kazakhstan "On Space Activities" was adopted. The law "provides a legal basis for further systematic work in the field of space exploration. The document legalized all the functions of the authorized body, as well as the Government of Kazakhstan in the field of space activities at the legislative level, the ways and principles for the development of Kazakhstan's space". [The adoption of the Law "On Space Activities"].

2. The Republic of Kazakhstan as a Member of the UN Committee on the Peaceful Uses of Outer Space

Foreign policy of the Republic of Kazakhstan is based on the principles of multi-vector, mutual benefit, balance, pragmatism, sustained defense of national interests.

Kazakhstan stands for equality of all countries in the world, taking into account mutual interests and laissez-faire policy, as well as for peace and collective solution of international concerns and conflicts on the basis of the UN Charter and the supremacy of international law.

Kazakhstan's external policy is based on a balance of convenience, in which the principle of differentiation and multiple-level system are striving to interaction with foreign countries and multilateral institutions [Foreign Policy Concept of the Republic of Kazakhstan for 2014-2020].

On March 2, 1992 the independent Republic of Kazakhstan became a full member of the United Nations. It is impossible to estimate the contribution of the Organization, as well as the efforts of States in its structure, in the case of contemporary peacebuilding. Range and scale of UN activities are very diverse and in tune with the chosen course of development of Kazakhstan's foreign policy based on respect for the norms and principles of international law. [4, Art. 8].

Among the important activities of the United Nations is the sphere of space activities. Kazakhstan, possessing the largest and unique spaceport in the world, is interested in the experience of the UN in this area, the multilateral international legal basis and others.

The United Nations has helped to make space used for peaceful purposes, and the benefits of this shared space activities to all countries. This interest in the peaceful exploration of outer space appears shortly after launch in 1957, the Soviet Union's first artificial satellite of the Earth and increases as new achievements in the development of space technology.[5].

In 1958, subsequently after the launching of Sputnik-1, the first artificial satellite, the United Nations General Assembly laid the foundation of an *ad hoc* Committee on the Peaceful Uses of Outer Space (COPUOS) (GA resolution 1348 (XIII)). Next year a permanent COPUOS was established by the General Assembly (Resolution 1472 (XIV)). The Committee included 24 members in 1959. Thereafter it has grown to 74 members being one of the largest committees of the General Assembly in the UN. A number of international organizations including both interministerial and non-governmental organizations has observer status with COPUOS and its Subcommittees [United Nations Committee on the peaceful uses of outer space].

The Committee examines the scope of international cooperation in the peaceful uses of outer space, is developing a program, and direct technical cooperation of the United Nations in this area, to promote research and dissemination of information, as well as contributing to the development of international space law.

The committee has two subcommittees:

- Scientific and Technical Subcommittee is the focal point (coordinator) of international cooperation in the field of space research and technology;
- Legal Subcommittee is working on the development of legal instruments that accompany rapid technological development in the field of space exploration.

Committee and subcommittee both meet annually to discuss the issues raised before them by the General

Assembly, reports submitted for their consideration, and the issues raised by Member States [The peaceful use of outer space].

On 83rd plenary session of the General Assembly, on December 9, 1994, it was decided on the adoption of Kazakhstan as a member of the UN Committee on Peaceful Uses of Outer Space (UNCOPUOS) [Decision of the UN General Assembly].

In accordance with the provisions of the Constitution, the law in force in the Republic of Kazakhstan includes international treaties as well. Moreover, ratified international treaties has priority over the national legislation [Constitution of the Republic of Kazakhstan, Art. 8, 1995].

In 1997, Kazakhstan joined the five major multilateral treaties in the United Nations treaties on outer space:

- Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (the "Outer Space Treaty"), adopted by the General Assembly in its resolution 2222 (XXI), opened for signature on 27 January 1967, entered into force on 10 October 1967;
- The Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (the "Rescue Agreement"), adopted by the General Assembly in its resolution 2345 (XXII), opened for signature on 22 April 1968, entered into force on 3 December 1968;
- The Convention on International Liability for Damage Caused by Space Objects (the "Liability Convention"), adopted by the General Assembly in its resolution 2777 (XXVI), opened for signature on 29 March 1972, entered into force on 1 September 1972;
- The Convention on Registration of Objects Launched into Outer Space (the "Registration Convention"), adopted by the General Assembly in its resolution 3235 (XXIX), opened for signature on 14 January 1975, entered into force on 15 September 1976;
- The Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (the "Moon Agreement"), adopted by the General Assembly in its resolution, opened for signature on 18 December 1979, entered into force on 11 July 1984 [Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, 1966].

The provisions of the above-mentioned international instruments of the UN are reflected and implemented in the national legislation of the Republic of Kazakhstan (to be discussed hereafter).

3. The Legal Base in the Exploration and Use of Outer Space within the CIS and EAEU

Commonwealth of Independent States (CIS) was founded on December 8, 1991. Nowadays, the CIS is a form of cooperation of equal independent states, called on the international community to regional intergovernmental organization. Its distinctive features are the organization of interaction in almost all spheres of interstate communication, flexibility mechanisms and formats of collective cooperation. Flexible mechanism for the organization of international and intergovernmental relations takes into account the different degrees of readiness of countries to integrate and enable each of them to participate in the integration process to the extent and in those areas that meet their national interests [About the Commonwealth of Independent States].

In the CIS space activities is managed by the state. There are public bodies responsible for the cosmic sphere, and there are government programs for the development of space activities.

Russia implements its own space projects, and more than other CIS countries integrated into the global space market. Currently, Ukraine and Kazakhstan are actively looking for partners for the development of the space sector. At the same time they maintain focus on Russia, which is associated with the unity of technology standards.

In other CIS members space activities is under development strategies, programs and plans that due to the high capital-intensive industry and limited in most countries in finance [Moldabekov, Vinokurov, 2010].

However, considering in general about the CIS countries and cooperation within the framework of this regional organization, it is necessary to pay attention to the Agreement on joint activities in the Exploration and Use of Outer Space dated from December 30, 1991 [Agreement on joint activities in the Exploration and Use of Outer Space, 1991]. The agreement specifies that the joint activity of the CIS countries in the Exploration and Use of Outer Space by the State party is based on the international programs. An important provision is the duty of the CIS Member States to build their activities in the exploration and use of outer space in accordance with international legal norms and coordinate their efforts to address the international legal problems of exploration and use of outer space. The agreement based the way for the formation of the Interstate Council on Space, which is responsible for coordinating the implementation of international programs. Agreement addressed the issues of financing, operating costs, infrastructure use (cosmodromes "Baikonur" and "Plesetsk", technical, launching, landing complexes, areas separating from fragments of carrier rockets,

mission control centers of space objects, Astronauts Training Center, command and measurement systems, receiving and processing information, arsenals and other facilities), targeted training, and many others.

In July 2013, the fourth in a row the annual meeting of the representatives of the executive authority of the CIS member states on cooperation in the space sector was held in Yevpatoriya (Crimea, Ukraine).

The forum was attended by delegations from space agencies of Azerbaijan, Belarus, Kazakhstan, Russia and Ukraine, as well as representatives of the National Academies of Sciences of Kyrgyzstan and Tajikistan, CIS Executive Committee, scientific and industrial organizations in the field of space efforts. Kazakh delegation presented its reports. Experts discussed the existing contractual and legal framework for multilateral cooperation in the space sector, the integration of terrestrial infrastructures, using the signal of the GLONASS system, were considered the question of accession to the International Charter "Space and Major Disasters", the creation of the interstate system of space emergency control, creating a technical committee on interstate standardization rocket and space technology and others.

As a result the meeting noted the efforts made by the CIS member states, national space agencies, R&D institutes, production facilities and scientific and industrial organizations in regard to enhancement of the capacity of developing cooperation in space exploration and peaceful use [Kazcosmos delegation at the meeting of the CIS space agencies, 2013].

Established in October 2000, an international organization - the Eurasian Economic Community - over the years not only demonstrated the successful implementation of its tasks, but also identified integration vector multilateral cooperation post-Soviet states in the long term.

From the 1st January 2010, started its working Customs Union of Belarus, Kazakhstan and Russia, from the 1st July 2011, it operates in full mode on all international standards. Community is also involved in the regulation of labor migration and the social and humanitarian spheres, coordination of actions on major international issues.

In 2010 was made a qualitative leap in integration - in just one year developed and signed by the heads of state package of basic agreements forming the United Economic Area (EAU). It was ratified in 2011 and from January 1, 2012, is to commence the practical phase of the EAU, which was released on full operation in 2015.

The next purpose is the formation of the Eurasian Economic Union, which will be able to compete and cooperate with the other poles of the modern multipolar world [About Eurasian Economic Community].

In May 2015 was signed the Treaty establishing the Eurasian Economic Union (EAEU). It is an international body of regional economic cohesion, have international legal personality and established by the agreement on the Eurasian Economic Union. In EAEU ensures free movement of goods, services, capital and labor, as well as a coordinated, coherent and unified policy in the sectors of the economy. Member States of the Eurasian Economic Union are the Republic of Armenia, Belarus, Kazakhstan and the Russian Federation. EAEU established for comprehensive modernization, cooperation, and improvement of the competitive strengths of national economies and creating of conditions for sustainable growth in order to improve the living standards of the Member States.

Reaffirming their commitment to the standards discussed above CIS Agreement, on February 17, 2000 was signed an Agreement between the Governments of the States Parties to the Treaty on the Customs Union and the United Economic Area of 26th February, 1999 on the joint exploration of outer space for peaceful purposes. This agreement was made in order to establish the institutional framework for cooperation in space and the creation of a legal framework for the development and conclusion of agreements between the parties and other arrangements in specific areas of joint space activities. The Parties shall take all necessary steps to conduct a coordinated policy with regard to the development and implementation of the principles and mechanisms to support collaborative research programs and use of outer space for peaceful purposes, in the global market of space technology, applications and services, as well as convergence and harmonization of national legislation in the field of space. The agreement defines the types and forms of cooperation, funding levels, dispute settlement, as well as the establishment of the Integration Committee as a coordinating body.

On February 20, 2000 in Moscow held a meeting on cooperation in the areas of security, law enforcement, defense, military-industrial and military-technical complexes. During the meeting it was noted that the priority for the Union State is to implement programs in the areas of space, electronics, and high information nanotechnology.

In regard to our country, the National Space Agency of the Republic of Kazakhstan conducts an active international cooperation with many countries. For seven years, signed 16 essential agreement on cooperation in the exploration and use of outer space for nonaggressive purposes.

At the same time five agreements (Ukraine, Russia, Israel, France and China) have the status of intergovernmental, the other 11 countries are signed by space agencies of these states. There are space agencies, scientific space centers in India, Japan, Germany, Korea, UAE, Thailand, the United Kingdom, Sweden, the Netherlands and others.

Creation of the Eurasian Economic Union (EAEU) to support cooperation between Kazakhstan in the space sector, not only with the Member States EAEU, but also other countries, with which there is agreement.

In particular, there are talking about the tariff preferences are imported goods within the framework of international cooperation in the exploration and use of outer space, including the provision of services to launch spacecraft. Moreover, the exemption from customs duty is granted in respect of such goods into the customs territory of the Union from third countries.

In our case, it concerns the import of space technology commissioned by Kazakhstan not only from Russia, but also, for example, France, with which state is implementing a number of major space projects. Such preferences for expensive projects as the creation of a satellite communication system "KazSat" space system of the Republic of Kazakhstan for remote sensing of the Earth mean substantial support of the state budget.

During the current year Kazcosmos also plans to sign an intergovernmental agreement on cooperation in the exploration and use of outer space for peaceful purposes with the Republic of Belarus.

Thus, space is an important activity and cooperation as the CIS Member States and the Eurasian Economic Community. Discussed above key international documents within the CIS and Eurasian Economic Union in joint peaceful space exploration laid the foundation of the cooperation at the regional level. Such sites allow negotiations to implement large-scale region space projects and programs, thus developing not only the space and scientific and technological progress in general, but also bringing corresponding benefits and profits for each state individually.

4. The National Legal Base of the Republic of Kazakhstan in the Field of Space Activities

The establishing and development of the national legal base of the Republic of Kazakhstan for Outer Space Affairs was held simultaneously with the stages of formation of the young independent state.

For a long time the country's space branch was in the legal field control and was regulated by-laws, namely President decrees, Government resolutions, and other acts. Typically, these acts constitute branch programs, strategic industry development program for certain periods. At the same time, for more than 20 years since independence and space exploration country there was lacked a separate, special law that would directly regulate relations arising in the field of space activities. Such law was adopted in 2012 only, a law was passed.

The process of creating a regulatory framework in the field of space activities in Kazakhstan in a sense can be compared to the stages of the formation of the space law as one of the newest branches of international law. Certainly, states not party to agreements that are essential for outer space, in the exercise of their space activities associated only with the rules of customary international law.

It is customary law forms the basis of relations between the States parties to the treaties and non-Parties. The content of the rules of the relevant international customary law primarily constitute the basic principles set out in the Treaty on Outer Space 1967: for example, the freedom of exploration and use of outer space, the prohibition of national appropriation and preservation of state sovereignty in relation to objects and people in space. Thus, space law could be an example of formation of customary law of contract law (Article 38 of the Convention on the International Treaties Law), that is, to show the change in the traditional way, which leads to the codification of customary law in the treaty.

In the Republic of Kazakhstan is focused on industrial and innovative projects. To this purpose was adopted state program of forced industrial and innovative development of the country. This program, as well as the relevant branch program for the development of space activities in the Republic of Kazakhstan provides for the establishment in the country of the space industry as high-tech sector. In addition, successfully implementing the Strategic Plan of the National Space Agency of Kazakhstan for 2011-2015. Within this framework, there are two strategic areas: the creation and development of space infrastructure and the development of scientific and technological base, human resources and international cooperation.

As part of the treaties, the legal and regulatory framework space industry has been made considerable work on drafting the Law of the Republic of Kazakhstan "On Space Activities" and "On Introduction of Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan for Space Activities" by the National Space Agency of the Republic of Kazakhstan. During 2011, there were considered firstly at the Mazhilis and then at the Senate of the Parliament of the Republic of Kazakhstan. On January 6, 2012 mentioned above laws were signed by the Head of State. It must be emphasized that for the first 20 years of independence, Kazakhstan has become the country's space activities carried out on the basis of the law, which has never happened before (previously the regulation of matters of space industry been based upon the provisions of relevant state programs, strategic plans, etc.).

The structure of the Law of the Republic of Kazakhstan "On Space Activities" is represented by 7 chapters (37 articles).

1. General provisions
2. State regulation and control in the field of space activities
3. Implementation of space activities
4. Space infrastructure
5. Safety of space activities
6. Legal status and social security measures of cosmonaut candidate, cosmonaut
7. Final provisions

The purpose of the adoption of this Law is to regulate social relations in space activities in the Republic of Kazakhstan.

Going directly to the review and analysis of the Law of the Republic of Kazakhstan "On Space Activities", as well as issues of implementation of international agreements, it is necessary to determine first of all, what is the content of space activities. In accordance with Article 1 of the Law, this is an activity aimed at the exploration and use of outer space to achieve the scientific, economic, environmental, defense, information and commercial purposes.

Herewith outer space is a space extending beyond the airspace at an altitude of more than one hundred kilometers above the sea level.

The new law, as well as the relevant legal acts in the field of space activities, are based on the provisions of the Constitution of the Republic of Kazakhstan and fully reflects the Kazakhstan's commitment to international law - Article 2 of the Law establishes the priority of ratified international treaties over the national legislation

The law defines the basic principles of space activities:

- compliance with national interests, provision of defense and national security of the Republic of Kazakhstan during the implementation of space activities;
- support of the priority directions of space activities development;
- economic stimulation of space activities;
- compensation for harm to health of individuals, damage to the environment, property of individuals and legal entities, the state arising out of the implementation of space activities;
- compliance with ecological requirements, requirements in the field of technical regulation and provision of sanitary and epidemiological wellbeing of population;
- compliance with the international law norms in the field space activities;
- efficient and rational use of outer space and space infrastructure of the Republic of Kazakhstan;
- stimulation for attraction of investments in the development of space activities in compliance with the state interests of the Republic of Kazakhstan.

Space activities in the Republic of Kazakhstan is carried out in the following directions:

- creation and use of space sector objects;
- exploration of outer space, planets and solar-terrestrial relations;
- Earth remote sensing;
- coordinate-and time and navigation provision;
- creation and use of space communication system;
- implementation of space objects launches;
- development of the national market of space services and the expansion of the space services in the world market;
- international cooperation of the Republic of Kazakhstan in the field of exploration and use of outer space for peaceful purposes.

Thus, these directions of space activities encompass not only the national interests of the country, but also take into account the need of space for peaceful purposes with the participation of foreign states and international organizations for the benefit and in the interests of all states.

International cooperation in the exploration and use of outer space for peaceful purposes conducts accordingly to the provisions of international rule, including the Charter of the United Nations and the Outer Space Treaty 1967 (Article 1 of the Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the interests of all States, taking into account the Needs of Developing Countries adopted by the resolution 51/122 of the UN General Assembly December 13, 1996). Kazakhstan has made a commitment to the Outer Space Treaty on May 15, 1997.

For the time being, Kazakhstan has close contacts and relevant international documents in the field of exploration and use of outer space for nonaggressive purposes, with countries such as Germany, Russia, Ukraine, France, Israel, India, and others.

Funding for the space industry in the Republic of Kazakhstan at the expense of budget funds. At the same time is supposed to attract other funding sources not prohibited by law.

Chapter 2 of the Law "On Space Activities" is dedicated to the issues of state regulation and control. In particular, it defines the competence of the Government of the Republic of Kazakhstan, as well as the authorized body in the field of space activities. Such body is formed in 2007 as the National Space Agency of Kazakhstan (Kazcosmos) by the President Decree.

The law provides for the state registration of space objects and rights to them (Article 11). The space objects are subject to a state registration:

- that belong to the individuals or to legal entities of the Republic of Kazakhstan, as well as the rights to the given space objects;
- that belong to the foreign individuals or to legal entities, launching into outer space from the territory of the Republic of Kazakhstan.

Implementation of state registration of space objects and rights to them, as well as maintenance of a register of space objects is the responsibility and authority of the Kazcosmos. Provisions of the Law of the Republic of Kazakhstan "On Space Activities" fully reflect the provisions of the Convention on Registration of Objects Launched into Outer Space, 1974 (Article 2), which is a party Kazakhstan also (has joined on May 15, 1997), as well as the Outer Space Treaty 1967 (Article 8).

Chapter 3 of the Law "On Space Activities" includes provisions on the implementation of space-related activities, namely:

- licensing activities in the field of use of outer space;
- scientific researches in the field of the space activities;
- creation of space systems and space rocket complexes;
- usage of space communication system;
- usage of Earth remote sensing space system (observing the Principles Relating to Remote Sensing of the Earth from Outer Space, adopted by the UN General Assembly Resolution 41/65 on December 3, 1986);
- usage of high-accuracy satellite navigation system;
- usage of space-rocket complexes.

Chapter 4 of the Law of the Republic of Kazakhstan determines the objects of space infrastructure. These include: objects of ground space infrastructure and space objects. Separately is secured a legal status of the cosmodrome "Baikonur" as a strategic object and property complex not subject to privatization. The issues of utilization of space objects and the means of marking space objects, object transfer space industry for rent international or foreign party space industry are considered. Currently cosmodrome "Baikonur", located on the territory of the Republic of Kazakhstan, is leased by the Russian Federation on the basis of the relevant Treaty leases (lease period extended until 2050).

Safety of space activities is of great importance and includes the following components (Chapter 5):

- safety assurance of space activities;
- investigation of accidents during the implementation of space activities;
- ecological control of the environment and level of health of population in regions, subject to influence of space activities;
- interdictions and restrictions in the space activities.

Unfortunately, in Chapter 5, issues of ensuring the safety of space activities are legally regulated only at the level of domestic law. In this case, there is no reference to international standards, in particular the provisions of the Convention on International Liability for Damage Caused by Space Objects of 1975, directly the Law "On Space Activities" is not contained such provisions. Although Kazakhstan has acceded to this Convention in May 15, 1997. It should be noted that in some international agreements the Republic of Kazakhstan on a bilateral level liability provisions are prescribed (The Lease Treaty on rent of cosmodrome "Baikonur", agreements on the exploration and use of outer space for peaceful purposes).

In Chapter 6, a legal status and social security coverage of candidate astronauts, astronaut are regulated. Here are regulated the status of candidate for astronauts, astronaut; guarantees in the event of injury, illness or death, social protection measures.

The final provisions of Chapter 7 provides for liability for violating the legislation of Kazakhstan in the field of space activities, as well as the procedure for enactment of the Law (within 10 days after its first official publication).

Thus, after conducting of analysis of the Law of the Republic of Kazakhstan "On Space Activities" it can be concluded that the legislator has laid the foundation of legal regulation of space activities in the country, as well as the development of space industry as a whole. The Law is reflected the provisions of international treaties adopted within the

framework of the United Nations.

Nowadays, the law is active and its efficiency on the development of space branch is a matter of time. There is a prospect that the successful implementation of this law will contribute and help Kazakhstan to become one of the leading space powers in future (jointly with other normative legal acts in the field of space activities).

5. Conclusion

Our country has a good advantage. It is the first, the most albeit the world's largest cosmodrome and it lays within the territory of Kazakhstan and it is owned by our country. It gives the right to be proud that the world's first cosmonaut was launched from the Kazakh "Baikonur". For us, this is also a good incentive for future achievements in the industry.

As it is known from international practice, there are two main ways of entering the club of space countries. The first way involves the acquisition of finished space systems and services abroad. However, the state does not receive a practical experience and does not develop basic infrastructure.

The second way is more complex and lengthy because it focuses on building its own space infrastructure and related technologies. Only such states are full-fledged space powers. Most modern countries in the world choose the first path. Kazakhstan also chose the second recognizing not only the complexity, but also the prospectivity of this choice.

Certainly, the research questions of international law and national legislation of the Republic of Kazakhstan has complicated character.

Space branch of the country is in the process of consistent and gradual development. Number of foreign partners, participants in outer space activities is increasing. The role of the integration processes in the world, which also affected the interests of Kazakhstan, is strengthening. All this requires the creation of high-quality legal framework and effective national law.

The prospects of further research questions include detailed study and analysis of the treaties framework for the complex "Baikonur", collisions detection and suggestion of ways to overcome them. Another topical issue is the delimitation of airspace and outer space, which is still not fixed in multilateral instruments. The rapid steps of development of space activities is ahead of the establishment of treaty rules. In this connection it should be reconsidered previously accepted norms of international space law. This is not a complete range of issues and problems that may be subject to the following publications and scientific research.

References

- About Eurasian Economic Community. In Official site of the Eurasian Economic Community, from <http://evrazes.com/about/evrazestoday>
- About the Commonwealth of Independent States (CIS). In Official site of the Commonwealth of Independent States (CIS), from <http://cis.minsk.by/page.php?id=174>
- Address by the President of the Republic of Kazakhstan, Leader of the Nation, N. Nazarbayev "Strategy Kazakhstan-2050: new political course of the established state" (2012, December 14). In Official site of the President of the Republic of Kazakhstan, from http://www.akorda.kz/en/page/page_poslanie-prezidenta-respubliki-kazakhstan-n-nazarbaeva-narodu-kazakhstana-14-dekabrya-2012-g_1357813742
- Agreement between the Governments of the States Parties to the Treaty on the Customs Union and the United Economic Area (1999, February 26). In Official site of the Eurasian Economic Community's Inter-Parliamentary Assembly, from <http://www.ipaeurasec.org/docdown/MD-029.pdf>
- Agreement on joint activities in the Exploration and Use of Outer Space (1991, December 30). In Legal Information system of normative legal acts of the Republic of Kazakhstan "Adilet", from http://adilet.zan.kz/rus/docs/H910000008_
- Constitution of the Republic of Kazakhstan (1995, August 30). In Parliament of the Republic of Kazakhstan, from <http://www.parlam.kz/en/constitution>
- Decision of the UN General Assembly on the appointment of members of the Committee on the peaceful uses of outer space (1994, December 9). In Official site of the United Nations Office for outer space affairs, from http://www.unoosa.org/pdf/gadocs/decision/GA-DECISION-49_319E.pdf
- EAEU will support the development of space activities in Kazakhstan - Y. Shaymagambetov (2014, May 29). In Official site "Kazakhstan-2050", from <http://strategy2050.kz/ru/news/8957>
- Foreign Policy Concept of the Republic of Kazakhstan for 2014-2020. Approved by Decree of the President of the Republic of Kazakhstan, January 21, 2014 # 741. In Official internet-resource of the Ministry of foreign affairs of the Republic of Kazakhstan, from <http://www.mfa.kz/index.php/ru/vneshnyaya-politika/kontseptsiya-vneshnoj-politiki-rk-na-2014-2020-gg>
- Kazcosmos delegation at the meeting of the CIS space agencies discussed the issues of cooperation (2013, July 10). In International News Agency "Kazinform" from <http://www.inform.kz/rus/article/2572962>
- Law of the Republic of Kazakhstan on Space Activities (2012, January 6, #528-IV). In Official site of the United Nations Office for outer space affairs, from http://www.unoosa.org/pdf/spacelaw/national/kazakhstan/528-IV_2012-01-06E.pdf

- Lecture of the Chairman of the National Space Agency of the Republic of Kazakhstan Musabaev T.A. for faculty members and students at the L.N. Gumilyov Eurasian National University on the prospects of space exploration (2011, April 19). Official Internet-resource of the National Space Agency of the Republic of Kazakhstan, from <http://kazcosmos.gov.kz/ru/press-office/dokladyi-i-vyistupleniya/doc/lekciya.html>
- Moldabekov Y., Vinokurov Y. (2010). *Perspectives of CIS Members cooperation in the field of space activities*. http://www.eabr.org/general/upload/docs/publication/analyticalreports/Full_version_8_rus.pdf
- Priorities for the Union State are space, electronics, nanotechnology and high – Rapota (2014, February 21). In Official site of the Eurasian Economic Community, from <http://www.evrases-bc.ru/news/view/30180>
- Shishanova O. Through the theory to the stars (2012, April 10). In Official Internet-resource of the National Space Agency of the Republic of Kazakhstan, from [http://kazcosmos.gov.kz/ru/press-office/intervyu/doc/cherez-teorii-k-zvezdam-\(novoe-pokolenie,-10.04.12\).html](http://kazcosmos.gov.kz/ru/press-office/intervyu/doc/cherez-teorii-k-zvezdam-(novoe-pokolenie,-10.04.12).html)
- The adoption of the Law "On Space Activities" as a defining step in the development of space industry in the country - T. Musabayev (2012, December 12). In News Agency "Zakon.kz", from <http://pravo.zakon.kz/4466097-prinjatje-zakona-rk-o-kosmicheskoi.html>
- The peaceful use of outer space. In United Nations. In Official site of the United Nations, from <http://www.un.org/ru/peace/disarmament/space.shtml>
- Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies New York, 19 December, 1966, from <http://legal.un.org/avl/ha/tos/tos.html>
- United Nations Committee on the peaceful uses of outer space: Members. In Official site of the United Nations Office for outer space affairs, from <http://www.unoosa.org/oosa/en/COPUOS/members.html>
- Vitsum V.G., Bote M., Klyain E., Khailbronner K., Doltser R., Kunig F., Shreder M. (2011). *International law*. Mocsow, M.: Infotropik Media.