

Yaroslav Mudryi National Law University

Department of administrative law and administrative activity

SYLLABUS OF ACADEMIC DISCIPLINE

«Public administration in space activity /

Level of higher education – the second (magister's) level

Degree of higher education – magister

Field of knowledge – 08 «Law»

Specialty – 081 «Law»

Discipline status – at the student's choice

Recruitment year - 2022

Kharkiv – 2021

Syllabus of academic discipline «Public administration in space activity»
for students of the second (magister's) level of higher education in the field of
knowledge 08 "Law", specialty 081 "Law". Kharkiv: Yaroslav Mudryi National Law
University, 2021.

Developer:

Inesa Kostenko

Ph.D. Assistant of the Department of Administrative Law and Administrative
Activities

Approved at a meeting of the Department of Administrative Law and Administrative
Activities

(Minutes No. 11 dated May 11, 2021)

updated (Minutes No. 12 dated June 9, 2022)

The head of the department - Nastyuk Vasyl Yakovych,

Doctor of legal sciences, Professor

Information about the lecturer

| | |
|--|---|
| The name of the academic discipline | Public administration in space activity |
| Status of the academic discipline | Per choice of the student |
| Teacher | Inesa Kostenko, Ph.D., Assistant of the Department of Administrative Law and Administrative Activities |
| Contact phone number | +38 097 000 97 99 |
| E-mail | i.v.kostenko@nlu.edu.ua |
| Consultations | in accordance with the developed schedule of individual consultations |
| Online consultations | https://www.linkedin.com/in/inesa-kostenko-647241175/ |

An abstract of the academic discipline

The general characteristics of public administration, regulatory framework, and guiding principles in the field of space activities in Ukraine and abroad are revealed. The administrative and legal mechanisms of implementation of public administration in the field of space activity are analysed. A comparativist characterization of the administrative and legal provisions of space activities is carried out.

The purpose and tasks of the educational discipline

The purpose of the academic discipline is to promote students' scientific awareness of public administration in the field of space activities; the creation of a modern scientific information space, which conditions the formation of a comprehensive view of advanced national space agencies and international space organizations; the legal regime of objects of space activities, state policy regarding the use of space for peaceful purposes; and ensuring the safety of space activities.

Tasks:

-formation of a system of theoretical knowledge about the patterns of formation and development of public administration in the space sphere; peculiarities of international legal phenomena in the sphere of space activity; guiding principles and principles of ensuring long-term stability of space activity;

- analysis and research of the conceptual foundations of state policy in the field of space activities and the use of outer space for peaceful purposes and in the interests of state security;
- formation of a comprehensive understanding of subjects of space activity, their classification, and the legal regime of objects of space activity;
- development of skills and abilities to apply legislation and programme documents regarding public administration in the field of space activities;
- development the ability to analyze, classify, and carry out a proper legal assessment of their content;
- developing an understanding of the main concepts, categories, and special legal and technical terms of the subject field;
- promotion of scientific awareness of the foreign experience of courts in the aspect of consideration of public legal disputes in the field of space activity;
- determination of actual problems of adaptation of domestic legislation to the acquis of the European Union and further development in relation to the subject area.

Educational discipline in the structure of the educational and professional program. Interdisciplinary connections

Prerequisites: "Administrative law", "Administrative justice", "International law".

Requirements: "International law of treaties", "Law of international organizations."

Expected learning outcomes for students in higher education

As a result of mastering the academic discipline, the higher education student must demonstrate the following results after learning the academic discipline:

LR AD 1. To achieve a comprehensive understanding of the subjects of space activity and their classification

LR AD 2. Discuss complex legal problems of international legal phenomena in

the field of space activities and predict the main directions of future development in the subject field.

LR AD 3. Formulate the legal position on the principles and guidelines of ensuring the long-term sustainability of space activities in a reasonable manner.

LR AD 4 Understand the conceptual foundations of state policy in the field of space activities and the use of outer space for peaceful and security purposes.

LR AD 5: Integrate knowledge of the subject's basic concepts, categories, and special legal and technical terms.

LR AD 6: Demonstrate knowledge of the legal regime governing objects of space activity.

LR AD 7: Examine the key provisions of legislation and programme documents relating to public administration in the field of space activities.

LR AD 8: To be aware of foreign court experience in the area of public legal disputes in the field of space activities.

LR AD 9: Identify and propose solutions to problems of domestic legislation adaptation to European Union acquis.

LR AD 10: Recognize the contribution of space agencies in the development of state policy for the space industry.

LR AD 11: Demonstrate knowledge of the international legal regime governing space security.

LR AD 12: Be aware of the administrative and legal regime governing the extraction and use of space resources.

**Types of educational activities and independent work for students
in full-time higher education**

| N | Face-to-face training | | Individual work (hours) |
|----|--|--|-------------------------|
| | Topics of lectures | Topics of practical studies | |
| 1 | Topic 1. Periodization of the development and establishment of space activity in Ukraine. | Topic 1. Periodization of the development and establishment of space activity in Ukraine. | 8 |
| 2 | Topic 2. Public administration in the field of space activity: concept and essence. | Topic 2. Public administration in the field of space activity: concept and essence. | 8 |
| 3 | Topic 3: Space Activity's Normative Foundations | Topic 3: Space Activity's Normative Foundations | 8 |
| 4 | Topic 4. Administrative and legal principles of public administration of space activities in Ukraine. | Topic 4. Administrative and legal principles of public administration of space activities in Ukraine. | 8 |
| 5 | Topic 5. Subjects of space policy development and implementation and their classification. | Topic 5. Subjects of space policy development and implementation and their classification. | 8 |
| 6 | Topic 6. The main ways of power-organizational activity of the public administration in the field of space activity in Ukraine. | Topic 6. The main ways of power-organizational activity of the public administration in the field of space activity in Ukraine. | 8 |
| 7 | Topic 7. The system of state guarantees for the development of space activities in Ukraine and their compliance with international standards and principles. | Topic 7. The system of state guarantees for the development of space activities in Ukraine and their compliance with international standards and principles. | 8 |
| 8 | Topic 8. Ukraine's cooperation with advanced countries in the field of space activities as a means of borrowing experience and forming a new policy. | Topic 8. Ukraine's cooperation with advanced countries in the field of space activities as a means of borrowing experience and forming a new policy. | 8 |
| 9 | Topic 9. International obligations and implementation of administrative proceedings in the field of space activities. | Topic 9. International obligations and implementation of administrative proceedings in the field of space activities. | 8 |
| 10 | Topic 10. Administrative and legal provisions of special areas of space activity. | Topic 10. Administrative and legal provisions of special areas of space activity. | 8 |

**Types of educational classes and individual work for students of higher education in the
correspondence form of education**

| N | Face-to-face training | | Individual work (hours) |
|---|---|---|-------------------------|
| | Topics of lectures | Topics of practical studies | |
| 1 | Public administration in the field of space activity: concept and essence. The normative basis of space activity. | Public administration in the field of space activity: concept and essence. The normative basis of space activity. | 110 |
| 2 | Administrative and legal principles of Ukraine's public administration of space activities. | Administrative and legal principles of Ukraine's public administration of space activities. | |
| 3 | Subjects of space policy development and implementation and their classification. | Subjects of space policy development and implementation and their classification. | |
| 4 | The system of state guarantees for the development of space activities in Ukraine and their compliance with international standards and principles. Execution of an administrative act. | Administrative and legal provisions of special areas of space activity. | |
| 5 | International obligations and implementation of administrative proceedings in the field of space activities. | . | |
| 6 | Administrative and legal provisions of special areas of space activity. | | |

Individual work of students

Students' individual work takes the following forms:

- preparation of an individual's final written work;
- development of new scientific and educational literature and legislative acts of foreign countries;
- work on cases on the adoption and implementation of administrative acts;
- self-testing, performance of practical tasks
- writing essays and abstracts;
- preparation of reports and abstracts for scientific and practical conferences;
- participation in scientific and practical conferences.

Tasks and methodical recommendations for independent work are given in Methodical materials for the educational discipline "Public Administration in Space Activity" for students of the second (master's) level of higher education in the field of knowledge 08 "Law" specialty 081 "Law".

Educational, methodical and informational support of the educational discipline

Normative and legal acts

1. Agreement between the European Organization for the Use of Meteorological Satellites and the National Space Agency of Ukraine, 2000. URL: https://zakon.rada.gov.ua/laws/show/994_177#Text
2. Agreement between the Government of Ukraine and the Government of the People's Republic of China on cooperation in the exploration and use of outer space for peaceful purposes, 1995. URL: https://zakon.rada.gov.ua/laws/show/156_200#Text
3. Agreement between Ukraine and the United States of America on cooperation in research and use of outer space for peaceful purposes, 1996. URL: https://zakon.rada.gov.ua/laws/show/840_647#Text
4. Agreement on the rescue of cosmonauts, the return of cosmonauts, and the return of objects launched into outer space, 1968 URL: https://zakon.rada.gov.ua/laws/show/995_483#Text
5. Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their member states, on the other hand, 2014. URL: https://zakon.rada.gov.ua/laws/show/984_011#Text
6. Concept of the draft Law of Ukraine "On State Regulation in the Field of Remote Sensing of the Earth": approval by order of the Cabinet of Ministers of Ukraine dated August 28, 2013 No. 657 URL: <https://zakon.rada.gov.ua/laws/show/657-2013-%D1%80#Text>
7. Convention for the establishment of a European Space Agency, 1975. URL: https://zakon.rada.gov.ua/laws/show/994_462#Text

8. Convention on International Liability for Damage Caused by Space Objects, 1972. URL: https://zakon.rada.gov.ua/laws/show/995_126#Text
9. Declaration of Legal Principles Governing the. Activities of States in the Exploration and Use of Outer Space, 1963. URL: https://zakon.rada.gov.ua/laws/show/995_a31#Text
10. Decree of the President of Ukraine about the National Space Agency of Ukraine dated 29.02.1992. No. 117. URL: <https://zakon.rada.gov.ua/laws/show/117/92#Text>
11. Framework agreement between the Government of Ukraine and the Government of the Federative Republic of Brazil on cooperation in the use of outer space for peaceful purposes, 1999. URL: https://zakon.rada.gov.ua/laws/show/076_008#Text
12. Law of Ukraine: On space activity, dated November 15, 1996. No. 502/96-VR .URL: <https://zakon.rada.gov.ua/laws/show/502/96-%D0%B2%D1%80#Text>
13. National Targeted Scientific and Technical Space Program for 2021-2025: approval. by order of the Cabinet of Ministers of Ukraine dated 13.01.2021. No.15 URL: <https://zakon.rada.gov.ua/laws/show/15-2021-%D1%80#Text>
14. Principles Governing the Use by States of Artificial Earth Satellites for International Direct Television Broadcasting, 1982 URL: https://zakon.rada.gov.ua/laws/show/995_497#Text
15. Regulations on the State Space Agency of Ukraine: approved by Resolution No. 281 of the Cabinet of Ministers of Ukraine dated May 14, 2015. URL: <https://zakon.rada.gov.ua/laws/show/281-2015-%D0%BF#Text>
16. Resolution 41/65 of the UN General Assembly "Principles relating to remote sensing of the Earth from outer space" of 1986. URL: https://zakon.rada.gov.ua/laws/show/995_596#Tex
17. Strategy of space activity of Ukraine for the period until 2022: approved by order of the State Space Agency of Ukraine dated May 21, 2015 No. 100. URL: <https://zakon.rada.gov.ua/rada/show/v0100814-15#Text>

18. The Convention on Registration of Objects Launched into Outer Space, 1975. URL: https://zakon.rada.gov.ua/laws/show/995_253#Text

19. Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, 1967. URL: https://zakon.rada.gov.ua/laws/show/995_480#Text

Basic literature

1. Kostenko I. Public administration in the Space industry of Ukraine and the implementation of European standards. *State building and local government*. 2021. No. 41. P. 175–188.

2. Kostenko, Inesa (2019) European Space Agency: an overview of the legal frame. *Advanced Space Law*. Volume 3. P. 63–71.

3. Kostenko, Inesa (2020) Current Problems and Challenges in International Space Law: Legal Aspects. *Advanced Space Law*. Volume 5. P. 48–57. URL: http://asljournal.org/journals/2020-5/ASL_vol_5_Kostenko.pdf

4. Kostenko, Inesa (2020) The draft Law of Ukraine «On the Extraction and Utilization of Natural Resources of the Moon and Other Celestial Bodies». *Advanced Space Law*. Volume 6. P. 29–42.

5. Kostenko, Inesa (2021) Artemis Accords and the Future of Space Governance. *Advanced Space Law*. Volume 8. P. 40–50.

6. Smoliiy, Ihor Volodymyrovych. Administrative justice in Ukraine and space law. *Advanced Space Law*. Vol. 1. P. 91–97.

7. Soroka L.V. Bodies of public administration of space activities of Ukraine. *Comparative and analytical law*. 2020. No. 1. P. 286–288.

8. Soroka L.V. Concept and essence of public administration of space activities in Ukraine. *Modern Scientific Researches*. 2020. No. 11. P. 96–103.

9. Soroka L.V. Concepts of "state regulation" and "state management" of space activities and their distinction. *Scientific bulletin of public and private law*. 2019. No. 4. P. 193–199.

10. Soroka L.V. International legal regulation of space activities. *Carpathian Legal Bulletin*. 2017. Issue 1. P. 330–333.
11. Soroka L.V. The role of national norms of space legislation in the regulation of space activities. *Scientific Bulletin of the Uzhhorod National University*. "Law" series. 2016. Issue 40. V.3. P.155–160.
12. Utko-Maslyanyk Yu.M. Institutional mechanism of implementation of the European space policy. *Actual problems of international relations*. 2013. Issue 115. Part 2. P.210–217.

Additional literature

1. Highlights of ESA rules and regulations. URL: https://www.esa.int/About_Us/Law_at_ESA/Highlights_of_ESA_rules_and_regulations
2. Jur O.E. State regulation of space industry enterprises of Ukraine: new realities and challenges. *Efficient economy*. 2015. No. 1. URL: <http://www.economy.nayka.com.ua/?op=1&z=3748>
3. Krige, A. Russo and L. Sebesta; A History of the European Space Agency, 1958–1987; Vol. II. The story of ESA, 1973 to 1987, 2000. URL: <https://www.esa.int/esapub/sp/sp1235/sp1235v2web.pdf>
4. Merhaba Adnan, Ainardi Matteo, Aebi Tobias, Khairat Hassan. The Space Agency of the Future. The space agency in the era of Space. 2019. URL: https://www.adlittle.com/sites/default/files/viewpoints/adl_space_agency-min.pdf
5. Pelton Joseph N. Space Safety Regulations and Standards. (2010). URL: <https://www.elsevier.com/books/space-safety-regulations-and-standards/pelton/978-1-85617-752-8>
6. Psyuk M.O. The role of space agencies in the formation of state policy for the development of the space industry. *Economy, management and administration*. 2020. No. 3 (93). P. 70–75. Gorove Stephen. Interpreting Article II of the Outer Space Treaty, 37 *Fordham L. Rev.* 349 (1969). URL: <https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=1966&context=flr>

7. Sutton, John R., *Law/Society: Origins, Interactions, and Change*; Sage Publications, Inc; 1 edition (December 22, 2000).

Internet resources

Website of the Council of Europe – <https://www.coe.int/web/portal/home>

The official web portal of the Verkhovna Rada of Ukraine – <http://rada.gov.ua/>

The official online representation of the President of Ukraine – <https://www.president.gov.ua/>

The official web portal of the Cabinet of Ministers of Ukraine – <https://www.kmu.gov.ua/>

The official web portal European Centre of Space Law – www.esa.int

The official web portal The National Aeronautics and Space Administration – <https://www.nasa.gov/>

List of Current Space Act Agreements – <https://www.nasa.gov/partnerships/about.html>

The official web portal of the State Space Agency of Ukraine – <https://www.nkau.gov.ua/ua/>

Global Positioning System (GPS) – <https://www.gps.gov/>

SEEMC

Standardized electronic educational and methodological complex of the department of administrative law and administrative activity.

URL: https://library.nlu.edu.ua/index.php?option=com_k2&view=itemlist&task=category&id=236:kafedra-administrativnogo-prava2&Itemid=151

Requirements of the teacher

Applicants for higher education must: regularly attend lectures and practical classes; work on them systematically and actively; present arguments convincingly when solving tasks; perform written tasks qualitatively, tests and individual work. If

you missed a practical class for a good reason, you can make it up as long as you talk to the teacher first.

Higher education applicants are encouraged to participate in scientific conferences, scientific work competitions, departmental scientific circles, write theses and scientific reports, and so on.

The rules in the "Code of Academic Ethics of the Yaroslav the Wise National Law University" (https://nlu.edu.ua/wp-content/uploads/2020/02/kodeks_academichnoyi_etyky.pdf) must be followed by all students.

During classroom classes, it is allowed to use gadgets only for educational purposes (for example, to view lecture presentations). It is allowed to use laptops and tablets for keeping lecture notes and tracking the necessary information.

Control measures:

evaluation of the results of learning in the educational discipline "Public administration in space activity" includes both real-time and final control, and it is based on a system of points that add up over time.

Current knowledge control includes:

- quality control of students' assimilation of the programme material of the educational discipline in practical classes using the following means: oral, written or expressed survey, solving practical tasks or problems, participation in case development, defence of an essay or essay at the initiative of the student. The current control is aimed at checking the level of the student's preparation in studying the material. In the course of the practical session, the student can receive an assessment on a four-point scale (0, 3, 4, 5);

-quality control of the students' assimilation of the programme material of the educational discipline, which is conducted at the end of the modules in the form of colloquiums.

An obligatory form of independent work for students is the preparation of an individual final written work. The maximum number of points based on the results of

the defence of an individual's final written work is 20 points.

The form of final control of the knowledge of higher education students in an academic discipline is a differentiated assessment. The minimum number of points to receive a differentiated credit is 60.

Scale of final pedagogical control:

| Rating on the ECTS scale | Definition Evaluation | Evaluation with a national scale for credit | Evaluation on a 100-point scale used at NLU |
|---------------------------------|---|--|--|
| A | Excellent: excellent performance, with only a small number of mistakes counted. | passed | 90 – 100 |
| B | Very good—above average with a few errors. | | 80 – 89 |
| C | Good—generally correct work with a certain number of minor errors. | | 75 – 79 |
| D | Satisfactory—not bad, but with a significant number of shortcomings. | | 70 – 74 |
| E | Sufficient—the performance meets the minimum criteria. | | 60 – 69 |
| FX | Unsatisfactory—needs some work before transposing not counted | no passed | 35 – 59 |
| F | Unsatisfactory—serious further work is required, mandatory repeat course | | 0 – 34 |