

NEWSLETTER No. 42 - APRIL 1992

I. Spring Meeting of the Board of Directors: The Future of the Institute

At the last meeting of the Board in February 1992, IISL President Judge Lachs presented his views about the future of the Institute and made some specific proposals regarding the direction in which the IISL should develop.

Judge Lachs explained that today, the IISL finds itself at a crucial point in the development of the law governing space activities. The creation of space law had a spectacular start with the creation of the five space treaties, then it somewhat slowed down, and rather resulted in a series of resolutions. Today, a new stage in this development has been reached, and the Institute should draw its conclusions. It should engage more in the development and interpretation of the law, and thus actually contribute to the law-making process, like the Institut de Droit International, the ILC and the ILA do. Of these three bodies, only the latter is involved with the law of outer space. This creates a special responsibility for the IISL.

The President identified two major challenges for the IISL: its style of work, and the subjects it deals with. Regarding the style of work, he indicated that the IISL has in the past relied mainly on individual contributions. But some fields, like commercialization of space activities or settlement of disputes in the field of space activities, need a special impetus and a cooperative effort. Judge Lachs mentioned the working method of the Institut de Droit International as a good example, where a rapporteur and a committee work for a period of a few years and then submit a report to the Institute for approval and publication at the attention of governments.

As a second proposal, the President raised the possibility of the IISL publishing case law in the field of space activities, like ILM does for international law. This would bring the Institute into the stream of events and out of its "ivory tower".

The Board appreciated and approved these ideas, and also stressed the importance of involving young members in both these new projects. The Board decided to

proceed first with the realization of the second proposal regarding the publication of case law concerning space activities, and to contact several persons for that purpose. Regarding the proposal about "teamwork", the Board decided to select two or three subjects as pioneering projects in the coming months, whereas chairmen and rapporteurs could possibly be appointed in Washington.

IISL members are invited to submit their comments and suggestions concerning these proposals for consideration to the Board, and are encouraged to participate in the reflections about the Institute's future.

II. The 35th IISL Colloquium Washington DC, USA, 28 August -5 September 1992

The following sessions will be held during the forthcoming Washington Colloquium:

Tuesday 1 September, morning:

Session 1- Emerging and future supplements to space law, specifically in the context of the International Space Year

Chairman: Dr. C.Q. Christol (USA)

Rapporteur: Ms. R. Trinder (USA)

Tuesday 1 September, afternoon:

Session 2- Legal regulation of economic uses of outer space

Chairman: Dr. V. Kopal (Czechoslovakia)

Rapporteur: Dr. O. Ribbelink (Netherlands)

Thursday 3 September, morning:

Session 3 - Managing environmental issues, including space debris

Chairman: Dr. N. Jasentuliyana (UN/ Sri Lanka)

Rapporteur: Mr. D. Reibel (USA)

Friday 4 September, morning:

Session 4 - Other legal subjects

Chairman: Dr. B. Bakotic (Croatia)

Rapporteur: Mr. S. Hobe (Germany)

Morning sessions will last from 8.30-11.30 a.m., and afternoon sessions from 2-5 p.m.

Almost 80 abstracts were approved for the Washington Colloquium. All authors have been notified of acceptance. They will receive further instructions for the full paper from Ms. Godette of the AIAA by the end of May.

A special event for IISL members is being organized by the US members for Wednesday, 2 September. The programme of the day consists of a space law moot court presentation and luncheon at Georgetown University, and excursions to the Supreme Court and the Library of Congress. Lunch costs \$15. Please register at the Registration Desk before Monday 31 Aug., 6 p.m.

The meeting of the Scientific/Legal Roundtable is scheduled for the afternoon of Thursday 3 September. The General Meeting of Members will be held on Friday 4 September, after the last session.

III. Financial situation

The IISL accounts show the following balance:

French account: frs. 79.90 in the current account and frs 30.000 in bonds (10 December 1991)

US account: \$11,672.85 (31 December 1991).

The Institute is grateful for the important annual support of the European Space Agency, the Centre National d'Etudes Spatiales (France) and the Association of US Members of the IISL. Furthermore, the contributions of other bodies and individuals are highly appreciated.

The IISL resources are still much too low and the expenses are growing. The recently established Financial Committee has started its work, and some suggestions have been made. There was a general consensus at the last Board Meeting that one of the main means to increase IISL funds will be the introduction of a membership fee and the creation of corporate membership. The Committee will submit a proposal to the Board in Washington.

IV. Membership

The Membership Committee which was established in Montreal studied various possibilities and it was generally felt that an amendment of the statutes will be required to provide for two categories of members: individual members and corporate members, all of whom are subject to pay a fee. The Committee will prepare a report for Washington.

V. Election of Directors

The terms of office of the following Directors expire in 1992: Dr. M. Bourély, France; Prof. Dr. V. Kopal, Czechoslovakia; Prof. Dr. R. Müller, Germany; Dr. N. Jasentuliyana, UN/Sri Lanka; and Prof. Dr. N.M. Matte, Canada.

The following persons have been invited to serve on the Nomination Committee: Prof. Dr. V. Vereshchetin, Russia, Dr. F.K. Schwetje, USA, and Dr. I.I. Kuskuvelis, Greece.

VI. New members

The following new members were elected at the 1992 Spring Meeting of the Board:

Mr. William K. Coulter
Vice Pres. Governmental Affairs & Int'l Trade Policy
Communications Satellite Corporation
950 l'Enfant Plaza S.W., Washington DC 20024, USA

Mr. William D. English
Attorney at Law, 7420 Exeter Road
Bethesda, Maryland 20814, USA

Prof. Joanne I. Gabrynowicz,
Dept. of Space Studies, University of North Dakota
Grand Forks, North Dakota 58202-7306, USA

Mr. Stephane Lessard
Apt. 1201, 100 Hall
Nun's Island, Que. H3E 1P3, CANADA

Prof. Megumu Nakamura
Ass. Professor of International Law
Otaru University of Commerce, 3-5-21 Midori,
Otaru 047, JAPAN

VII. Meetings of COPUOS

The 1992 session of COPUOS' Legal Subcommittee will be held in Geneva from 23 March - 10 April. The Plenary session of COPUOS will be held in New York. Prof. J. Galloway will be the official IAF observer for the Legal Subcommittee, and Dr. E. Galloway and Dr. S. Gorove for the plenary session of COPUOS.

VIII. Other Matters of Interest

i) President of the Association of US Members of IISL
Dr. S. Doyle has withdrawn from this function in the IISL. Dr. F.K. Schwetje took over the Presidency of the AUSMIISL for the remainder of Dr. Doyle's term.

ii) Chairman Standing C'ee on Status of Space Treaties

Dr. S. Doyle also stepped down as Chairman of this Committee. Dr. A. Terekhov has agreed to take over the chair of the Standing Committee.

iii) IISL/ECSL session at European ISY Conference

At the European ISY Conference which was held in Munich in March/April 1992, IISL and the European centre for Space Law ECSL organized a joint session on Legal Aspects of Satellite Remote Sensing Data in Europe.

iv) ECSL Summercourse

ECSL will organize the First European Summer Course on Space Law & Policy in Messina, Italy, 7-16 September 1992, in cooperation with the EC Erasmus Programme and the University of Messina. Participating Universities are: Aberdeen, Amsterdam, Granada, Leiden, Messina, Utrecht, Toulouse, Paris.

v) News from Argentina

Dr. A.A. Cocca reported that the Faculty of Law of the University of Buenos Aires has recognized Mankind as an autonomous legal subject, through the course "Rights of Mankind in Connection with the Environment", given by Prof. Cocca since 1990. Also, the 1991 subject of the postgraduate course "Prospective of Legal Science: Advanced Studies in Space Law", held at the same Faculty since 1988, was entitled "Some Constitutional Thoughts on Mars", in connection with a session of the Montreal Colloquium.

IX. The 36th IISL Colloquium
Graz, Austria, 16-22 October 1993

The following sessions will be held at the 1993 Colloquium:

Session 1 - Adjudication and arbitration of disputes regarding space activities

Chairman: Dr. P. Jankowitsch, Austria

Session 2 - Legal aspects of space insurance

Chairman: Prof. T. Kosuge, Japan

Session 3 - Legal aspects of space activities of organisations of the UN System and other international organisations (e.g. ICAO, WMO, WHO, FAO, IAEA, ITU)

Chairman: Dr. W. Wirin, USA (t.b.c.)

Session 4 - Recent developments in space law.

Chairman: Prof. F. Lyall, UK.

The procedure for the submission of abstracts for the 1993 Colloquium will be set out in the Fall 1992 IISL

Newsletter. The Chairmen will invite 5 papers to cover all aspects of the topic of their session. In addition, up to 20 abstracts may be proposed by members and other interested persons, and these need approval from the chairman in cooperation with the Board. Thus, a maximum of 25 papers per session will be obtained.

X. Input for IISL Newsletters

The Board invites Members to submit relevant information to the Secretary for inclusion in future issues of the Newsletter (e.g. news about symposia, national legal developments, COPUOS developments, etc.). In order to be included in the next Newsletter, which will be issued after the Washington Colloquium, such information must have been received by the Secretary by 15 September 1992. The Board preserves the right to decide which information will be published.

XI. Contributions

Although IISL does not (yet) raise any membership fee, the costs and efforts required to ensure the proper functioning of the Institute are considerable. Members are therefore reminded that voluntary contributions to the Institute are most welcome. Contributions in US \$ may be sent to Dr. Eilene Galloway, 4612, 29th Place N.W., Washington, D.C. 20008, USA. Contributions in any other currency may be made by bank transfer to the Européenne de Banque, ESA Building, 3-5, rue Mario Nikis, 75015 Paris, France, account no. 100 435 401 01, c/o 'Sté.F.D.A.S.', mentioning "IISL Contribution".

XII. How to order Proceedings

IISL members are entitled to purchase copies of the Proceedings at a substantial discount. The Proceedings of the first eight IISL Colloquia are out of print. The Proceedings of the 9th-21st Colloquium (1966-1978) are available from Fred B. Rothman and Company, 10368 West Centennial Road, Littleton, Colorado 80127, USA. They cost US\$27.50 each, except those of the 20th and 21st Colloquia, which cost US\$32.50. Issues from 1979 are available from AIAA Publications Customer Service, 9 Jay Gould Court, P.O.Box 753, Waldorf, Maryland 20604, USA. Issues from 1979 through 1984 retail for US\$50 an issue (US\$25 for IISL members); issues from 1985 through 1990 retail for US\$59.50 an issue (US\$29.50 for IISL members). Orders under US\$50 to AIAA Publications Customer Service from within North America must be prepaid and also include a shipping and handling charge payment of US\$4.75. All orders to AIAA Publications Customer Service from outside North America must be prepaid and also include a shipping and handling charge

payment of US\$14.75. Allowance time for order processing and delivery within the USA is 4 weeks, and longer outside the USA.

XIII. Members' Addresses

The Secretary would be grateful to be informed of the new address of the following persons: L.I. Degville, M.J. Due, C.G. Hasselman, G. Jacquemin, L.C. Levin, H. R. Marshall, F.A. Pereira, J. Ashley Roach, A.W. Stoebner, K. Wiewiorowska.

Please send all address changes to:
Tanja L. Masson-Zwaan, Secretary
International Institute of Space Law
3-5, rue Mario Nikis, 75015 Paris, France

NOTE

The Final Announcement and Registration Form for the World Space Congress/ IISL Colloquium (Washington DC, 28 Aug.-5 Sept. 1992) may be obtained from:

The World Space Congress Office
American Institute of Aeronautics and Astronautics
The Aerospace Center
370, l'Enfant Promenade, SW
Washington DC 20024-2518, USA

Fax (1)-(202) 646 7508
Tel. for Registration:
(1)-(202) 646 7569
Tel. for Hotel Accommodation:
(1)-(202) 842 2930

EARLY REGISTRATION DATE: 15 JULY 1992