

NEWSLETTER No. 48 - JUNE 1995

I. INTRODUCTION

The IISL Board of Directors met on 8 April 1995 in Paris. The President, Dr. N. Jasentuliyana presided over the meeting, which was also attended by the two new Board Members, Dr. E Gaggero from Uruguay and Dr. A. Terekhov from Russia. At this Spring Meeting, several matters of importance were discussed which are reflected in this issue of the Newsletter.

II. THE 38TH IISL COLLOQUIUM OSLO, NORWAY, 2-6 OCTOBER 1995

Approximately 50 abstracts were accepted for the following four sessions:

Session 1: Legal aspects of commercial space activities; Chairman: Dr. Fife (Norway)

Session 2: Legal issues arising from recent technical studies relating to space debris; Co-Chairmen: Dr. L. Perek (Czech Rep.) and Prof. M. Williams (Argentina)

Session 3: Recent developments in the law of intergovernmental organizations dealing with outer space matters; Chairman: Dr. M. Bourély (France)

Session 4: Other legal matters; Chairman: Dr. N.M. Matte (Canada)

Concerning the possible convening of a fifth session for consolidated discussion of papers, it was decided that the Secretary will contact the authors whose papers have been accepted in order to determine who definitely plans to be in Oslo. This will help in planning session consolidation. Based upon the numbers of authors appearing in Oslo, there will be an effort to combine or overlap sessions wherever possible to allow as much of the

planned final session as possible to be left free for discussion.

Thus, the schedule of the sessions and meetings will - in principle - be as follows:

Session 1:	Tue 3 Oct., p.m.
Board Meeting:	Tue 3 Oct., p.m.
Session 2:	Wed 4 Oct., p.m.
Session 3:	Thu 5 Oct., a.m.
Moot Court:	Thu 5 Oct., p.m.
Session 4:	Fri 6 Oct., a.m.
Gen. Assembly:	Fri 6 Oct., noon

III. MANFRED LACHS SPACE LAW MOOT COURT COMPETITION

The 4th Manfred Lachs Space Law Moot Court Competition will be held during the Oslo Colloquium. Contact has been established with the University of Oslo via Dr. Fife of the Norwegian Space Center, who will also serve as intermediary with the Foreign Ministry. The University provides rooms in one of the old university buildings in the centre of Oslo. The Finals will be held on 5 October pm. The Institute is very fortunate that again three judges of the ICJ have in principle accepted to judge the Finals: Judge Guillaume, Judge Vereshchetin and Judge Weeramantry. KLM will sponsor the tickets of the judges. AUSMIISL expects to be able to contribute a small amount to the finals from the Lockheed Martin grant.

The US Preliminary competition was held on 1 April; the European preliminary on 7 April. In the US, from 16 competing schools, the

final selections were #1 University of North Carolina, #2 Georgetown University, and #3 Duke University. In Europe, there were 5 participating schools and the winners were #1 University of Leiden, #2 University of Jaen, and #3 University of Barcelona.

The Board also discussed the desirability of organizing increased regional competition, possibly in Latin America and in the Far East, to build the base of participation in the moot court competition. Each region will have to undertake the sponsorship of teams reaching the finals. Thus, in addition to organizing a regional competition, regional members will have to address the issue of regional financial support to make the competition and the sending of a finalist team to the IAF Congress possible. Exploratory work and discussions will be pursued.

IV. FINANCIAL SITUATION

The report of the Treasurer, Dr. Bourély, shows the following balance (March 1995):

- FF 12 639,16 _
- US\$18 381,26 most of which has been placed in short term bonds

The Institute is grateful for the annual support of the Centre National d'Etudes Spatiales (France).

V. DUES

Dues for 1994 (US\$ 40 or FF 250) have been paid by ±150 members (as per 1 March 1995).

Dues for 1995 (US\$ 40 or FF 250) have been paid by ± 90 members (as per 1 March 1995).

15 members have terminated their membership upon the call for dues, and 3 members have asked for exemption.

The total amount of dues received since January 1994 is ± US\$ 8.000 and ± FF 20.000.

Members who have not yet paid their dues for 1994 and/or 1995 will find a reminder enclosed with this Newsletter; Members who have not paid dues for one year may lose their voting rights at the Assembly of Members.

Failure to pay dues for two consecutive years may result in suspension of member services, such as periodic newsletters.

Whenever the Board approves an exemption from dues, the member being notified of exempted status will be notified that a payment in any amount, to manifest *bona fides*, will be appreciated by the Board. Exemptions, when granted are for one year at a time and are not automatically extended. Renewal of an exemption must be requested in writing. Terms and conditions of exemptions will be spelled out in the new By-laws.

VI. CERTIFICATES

The Board decided that in 1995 the Institute should pay special attention to the achievements of Dr. Vladlen S. Vereshchetin for sustained contributions to the development of space law and international cooperation and for bringing distinct honor to the Institute by his election and appointment to the International Court of Justice.

The Board also decided that a special certificate of appreciation will be presented to Michel Bourély during the IAF Congress in Oslo, to thank him for his many years of faithful service to the Institute as treasurer.

VII. AMENDMENT OF STATUTES

The Board undertook a paragraph by paragraph review of the several drafts and many recommendations made from various members for amendments to the Statutes and By-laws. A final integrated rendition of the results of the Board's deliberations will be compiled prior to the Assembly of Members meeting in Oslo. The draft will be reviewed in its proposed final form by the Board in Oslo and will be released to members following the Board review on Tuesday during the Colloquium. Final consideration of the text is scheduled to take place at the Assembly in Oslo.

VIII. ELECTION OF DIRECTORS

The terms of office of the following Directors expire in 1995:

- M. Bourély (France; Treasurer)

- F. Lyall (UK)

M. Bourély notified the Board of his intention to retire as Member of the Board and Treasurer at the Oslo meeting.

The following members have agreed to serve on the Nomination Committee: Dr. M. Bourély (Chairman), Ms Rachel Trinder and Ms Marcia Smith.

The mandate of the committee will be

(1) to present a slate for the 2 vacancies in the Board,

(2) to present a slate for the office of Treasurer

(3) to consolidate the guidelines for elections for inclusion in the Institute's By-laws and, in the *interim*, to apply these guidelines for the 1995 elections.

IX. NEW MEMBERS

The following new member was elected at the 1995 Spring Meeting:

Mr Declan O'Donnell
World Bar Association
6841 South Yosemite street
Englewood Colorado 80112
USA.

X. COPUOS MEETINGS

The following IISL members have been appointed as official IAF observers

- for the COPUOS Legal Subcommittee in Vienna, 27 Mar.-13 Apr. 1995:

Prof. E. Back Impallomeni, Dr. E. Fasan, Dr. G. Gàl, Ms K. Gorove, Ms M. Mejía-Kaiser.

- for the plenary session of COPUOS in Vienna, 12-23 June 1995:

Dr. S. Doyle and Prof. S. Gorove

- the Scientific/Technical Sub-C'ee was held from 6-17 Feb. 1995

IISL WORKSHOP

As in previous years, the IISL organized a symposium, on 27 March 1995, on the topic "Technical and Policy Issues related to the Use of the Space Environment" for the delegates and staff of the Legal Subcommittee session; the Coordinator of the 1995 program was Dr.

E. Fasan, and the speakers were Dr. L. Perek (Czech Rep.), Mr Tremayne-Smith (UK), Dr. P. Nsgos (US) and Prof. P. Malanczuk (Netherlands). A reception was hosted after the program. For the first time, the IISL organized symposium was officially recognized in the Subcommittee's Report.

XI. THE 39TH IISL COLLOQUIUM BEIJING, CHINA, OCT. 1996

The Board decided on the following topics and chairmen for the Beijing Colloquium:

Session 1: The Legal Status of Property Rights on the Moon and Other Celestial Bodies. Chairman Dr. He Qizhi (China)

Session 2: Cases and Methods of Dispute Settlement in Space Law. Chairman Karl-Heinz Böckstiegel (Germany)

Session 3: Legal Aspects of Sharing Benefits from the Conduct of Space Activities. Co-chairmen: Eduardo Gaggero (Uruguay), Stephen Doyle (USA)

Session 4: Other Legal Subjects, which might include topics such as 'Liability Problems and Contracting for Space Activities' or 'Legal Issues Raised by Expanding Satellite Communications.' Co-Chairmen: Toshio Kosuge (Japan), Ernst Fasan (Austria).

The Fifth Manfred Lachs Space Law Moot Court Competition will be held during the 1996 Colloquium. The case is currently being drafted. Contact has been established with the University of Beijing. US and European universities will be contacted in the summer for participation in the regional preliminary competitions.

XII. ACTIVITIES OF THE INSTITUTE

- The Proceedings of the Colloquium in Israel will appear in the summer of 1995.

- A 1995 Brochure identifying the IISL, its programs and officers was published with the support of Dr. Doyle. A copy of this brochure is enclosed. For further copies, please contact the Secretary at the Paris office.

- Working group on definitions: Prof Gorove was officially appointed Chairman of the IISL Working Group on Definitions. Because of his recent appointment to the ICJ, Judge

Vereshchetin asked to be excused from work in this group, but he requested being kept informed of the progress of its work.

• Working group on dispute settlement and cases regarding activities in outer space:

Acting on a letter containing recommendations from Prof. Böckstiegel, the Board decided that

- The Working Group should proceed with plans to establish a world *Space Law Reporter* to be sponsored by the IISL, with opportunity for other interested organizations to be co-sponsors, as appropriate. Arrangements for co-sponsorship should be referred to the Board for final approval.

- The reporter should be a single, non-regional world reporter, produced in a loose-leaf form.

- The reporter should be developed in one language - English,

- An Editorial Advisory Board, containing regional representation, should be developed and recommended to the Board for approval and appointment.

- The Working Group is authorized to seek publication arrangements with an appropriate publisher, subject to Board approval.

- The preparation of an initial study grant application should be pursued and brought to the Board for review and approval when ready.

• Standing Committee on the Status of Space Law Treaties: Dr. Terekhov reported that the Committee expects to have an annual update on its report ready for the Colloquium in Oslo.

• Contract carried out for the UN to prepare a report on recent developments in space law for the Highlights in Space Report: the IISL will continue to prepare material for the UN annual review of developments in international cooperation and space law

XIII. VARIOUS

- The Board is proud to announce that Dr. V. Vereshchetin, former Vice-President and currently Honorary Director of the IISL, has

been elected to the International Court of Justice in January 1995. The President sent a letter of congratulations to V. S. Vereshchetin on behalf of the Institute upon his appointment to the ICJ.

- On the occasion of his first Board meeting, Dr. E. Gaggero (Uruguay) delivered a salutation message to the Board expressing his acknowledgement for being elected to the Board and recalling the special role his country played in the elaboration of air and space law. For example, as early as in 1957, even before the launch of the first Sputnik, a book on space law was published in Montevideo by Prof. Bauzà Araùjo. In 1996, the 3rd "America's Space Conference" will be held in Uruguay, coinciding with the 20th anniversary of the Uruguayan Space Agency. The Centro de Investigaciòn y Difusiòn Aeronàutico-Espacial (CIDA-E), of which Dr. Gaggero is the Honorary Director General, received a commemorative medal from ICAO in 1994.

- The Board received the Institute of the International Law Association's Resolution No. 5 on Space Law, adopted by the 66th Conference of the ILA held in Buenos Aires in August 1994, with the International Instrument on the Protection of the Environment from Damage caused by Space Debris and the report of the Space Law Committee. Copies of these documents are available upon request from the Paris office for the information of the membership.

- The UN Under Secretary General for Legal Affairs has addressed a request for information to the IAF/IISL regarding the third term (1995-1996) of the UN Decade of International Law. A response to this request on behalf of the Institute will be drafted, summarizing highlights of the Institute's programs in 1995-1996.

- In the framework of the UN Congress on Public International Law (13-17 March 1995) a roundtable was held, organized in cooperation with the IISL, on "Space Law, role of the UN." Prof. Lyall served as moderator and Eilene Galloway, Ivan Vlastic, and Eduardo Gaggero served on a panel in the

session. The proceedings of the session will be included in the UN Report.

XIV. "LOST" MEMBERS

The Secretary would be grateful to be informed of the addresses of the following persons:

<i>L.I. Degville</i>	<i>G. Meloni</i>
<i>M.J. Due</i>	<i>F.A. Pereira</i>
<i>K.A. Finch</i>	<i>Mr. Postyshev</i>
<i>F. Ikeda</i>	<i>A. Rudolf</i>
<i>B.D. Kraselsky</i>	<i>F. Ruddy</i>
<i>L.C. Levin</i>	<i>A.W. Stoebner</i>
<i>Y. Lodico</i>	<i>Mr Schubert</i>
<i>H. R. Marshall</i>	<i>Mr. Valkov</i>
	<i>K. Wiewiorowska</i>

XV. NOTE

The 2nd Announcement of the **46th IAF Congress**, Oslo, 2-6 Oct., containing information about programme, registration, accommodation, etc. has been mailed to all IISL members.

Additional information may be obtained from:
The 46th IAF Congress Secretariat
P.O. Box 527, N 1301 Sandvika, Norway,
tel. + 47 67 56 90 12, fax + 47 67 56 44 80

EARLY REGISTRATION DATE:
15 JULY 1995