

INTERNATIONAL INSTITUTE OF SPACE LAW
OF THE INTERNATIONAL ASTRONAUTICAL FEDERATION

INSTITUT INTERNATIONAL DE DROIT SPATIAL
DE LA FEDERATION ASTRONAUTIQUE INTERNATIONALE

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INTRODUCTION

The IISL Board of Directors met on 31 March 1996 in Paris. Dr. N. Jasentuliyana presided over the meeting, which was also attended by the new Treasurer, Dr. Lafferranderie. The deliberations and decisions of the Spring Meeting are reflected in this Newsletter.

THE 39TH IISL COLLOQUIUM
BEIJING, CHINA, 7-11 OCTOBER 1996

Approximately 50 abstracts were accepted for the following four sessions:

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 Prof. K.Böckstiegel (Germany)

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

Session 4: Other Legal Subjects. Co-Chairmen: Prof. T. Kosuge (Japan), Dr. E. Fasan (Austria).

In order to free one session for discussion, as has been done the last two years, Session 2 will be combined with either Session 1 or Session 3, depending on the number of authors present. It will again be our goal to grant 15 minutes to each author for presentation of his/her paper. As was done last year, a letter will be sent by the chairmen of all sessions shortly before the colloquium, to ask authors whether they are coming, so that a decision can be taken. Chairmen will give a summary of the questions raised during their session at

the discussion session on Friday, with additional comments by their rapporteurs, so as to provide the basis for the discussions.

The schedule of the sessions and meetings will be as follows:

Two sessions on Tuesday, one on Thursday am, Moot Court on Thursday pm, and the last session (discussions) and General Assembly on Friday am. The Board meeting will be held on Monday late afternoon. A Scientific-Legal roundtable is planned for Wednesday pm.

Selection policy for papers for publication in the Proceedings:

- 1) a paper must somehow be presented at the Colloquium to be considered for publication, either by the author himself, or, in summary, by another person, for instance the Chairman.
- 2) in addition, it was agreed that the Chairmen should indicate which papers in their opinion should not be published.
- 3) Authors of such papers would receive instructions as to the expected amendments to their papers, upon which the paper may be re-considered for publication in the next volume.
- 4) If these amendments are not made, the paper will not be published.

Instructions for photographers:

To those interested in submitting pictures to be included in the Proceedings, the publisher welcomes submission of black and white pictures. The full names of persons photographed should be attached to the pictures. Background scenes indicating the location of the Congress are desirable. Try to avoid too many pictures of speakers at a podium and those of audiences where there are vacant chairs. Not every picture can be included as the publisher

will select the best for 2 pages, but all pictures will be returned to the owners. For more detailed information, please write to the Secretary in Paris.

MANFRED LACHS SPACE LAW MOOT COURT COMPETITION

The 5th Manfred Lachs Space Law Moot Court Competition will be held during the Beijing Colloquium. The 1996 problem (Parlivia vs. Californium *et al.*), written by Pamela Meredith, deals with liability for commercial space endeavors. Copies may be obtained from the Secretariat. Preliminary competitions have been held in Paris, organized by the European Centre for Space Law (ECSL), and in the US, organized by the Association of US IISL Members. The winner of the US Preliminary was the University of Wyoming; the winner of the European preliminary was the University of Helsinki, Finland. During the Finals in Beijing, Wyoming will be the Applicant, and Helsinki the Respondent. The IAF Local Organizing Committee in Beijing will host the Judges' hotel accommodation, and the University of Beijing has agreed to host a reception after the announcement of the winning team. The Institute is most grateful for the efficient intervention of the Chinese Ministry of Foreign Affairs and the personal involvement of Dr Huang Huikang and Dr He Qizhi. The Finals will be held on Thursday 10 October pm. Judges of the ICJ will again be invited to judge the Finals. KLM has confirmed its willingness to assist in the transportation of the judges, in cooperation with Air China if necessary.

The Board again discussed the possible extension of the competition to other regions. In order to fully assess the situation and take a balanced decision, the Board decided to create a committee consisting of Dr Lafferranderie (Chairman), Dr Doyle and Prof Kosuge, to report to the next Board meeting in Beijing.

FINANCIAL SITUATION

The report of the Treasurer, Dr. Lafferranderie, shows the following balance (March 1996):
- FF 28.879,02

- US\$ 25.380,75, 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) and the Academy of Sciences (Russia).

DUES

In January 1996, personalized letters were sent to all members. Since then, a considerable number of members has paid dues, including a "lumpsum" payment by the Russian Academy of Sciences for all members from Russia, valid for 6 years (1994-1999).

Out of the total membership of ± 350 persons, a little over 100 have not responded to any of the calls for dues over the past three years. Several of them will be contacted one last time, before the Board makes a decision to terminate their membership.

Members who are in arrears of dues for one or more of the years 1994-95-96 will find a reminder enclosed with this Newsletter.

CERTIFICATES

The Board decided that a Certificate will be awarded in Beijing to Prof. Lyall, in recognition of his contributions to space law and to the Institute, particularly for his assistance in drafting the Statutes and his involvement in the Moot Court Competition. In addition, Dr He Qizhi will also be appropriately honoured in Beijing.

ELECTION OF DIRECTORS

The terms of office of the following Directors expire in 1996:

- N. Jasentuliyana (President) (UN/Sri Lanka)
- G. Catalano Sgrosso (Italy)
- A. Cocca (Argentina)
- G. Gàl (Hungary)
- M. Komar Kantaatmadja (Indonesia)

In addition, the new Statutes provide for 12 Directors while there are only 11 at present, and thus one additional vacancy should be filled.

- The members of the Nomination Committee are: Dr M. Bourély (Chairman), Dr. E. Galloway and Ms R. Trinder. The mandate of the

Committee is 1) to propose nominations for the 6 vacancies on the Board and 2) to propose a nomination for the office of President.

NEW MEMBERS

The following new members were elected at the 1996 Spring Meeting:

Mr. Boakye Danquah Kofi Henaku
Zoeterwoudseweg 54
2321 GP Leiden, The Netherlands

Prof. Dr. Soon-Kil Hong
Director, Inst. of Aviation Policy & Law
Hankuk Aviation University
#200-1 Hwa Jon Dong, Koyang City
Kyonggi Do 411-, Korea

Mr. Wan Normazlan Bin Che Jaafar
Airforce HQ, Human Resource Div., Legal
Directorate, Ministry of Defence
50634 Kuala Lumpur, Malaysia

Mr. Kazuhiro Nakatani
Ass. Prof. of International Law
University of Tokyo, Faculty of Law
7-3-1 Hongo, Bunkyo-ku, Tokyo 113, Japan
Dr. Volker Thiem
Legal Adviser, EUMETSAT
Am Kavalleriesand 31
D-64297 Darmstadt, Germany

UNCOPUOS

The following IISL members were appointed as official IAF observers

- for the COPUOS Legal Subcommittee in Vienna, 18 March- 4 April: E. Back Impallomeni, E. Fasan, M. Vivod,
- for the plenary session of COPUOS in Vienna, 3-14 June: E. Back Impallomeni, E. Finch, S. Gorove, B. Smith, Y. Hashimoto

It was decided that only one pre-designated person at each session will serve as spokesman for the IAF. For the Legal Subcommittee, this will be Dr Fasan. For the June session of COPUOS, this will be Prof Gorove. All other observers are not allowed to take the floor.

IISL WORKSHOP

As in previous years, the IISL organized a successful symposium in cooperation with ECSL, which also co-hosted the reception, on

18 March 1996, on the topic "Protection of the Space Environment" for the delegates attending the Legal Subcommittee session; the speakers were Dr Perek, Dr Lafferranderie, Mr F. Bryan Chevront III of Motorola and Dr Kopal. the Coordinator of the 1996 program was Dr. E. Fasan. Next year, the symposium will celebrate the 30th anniversary of the Outer Space Treaty. The President expressed the appreciation of the Board to Dr Fasan and Dr Lafferranderie for their efforts in strengthening the relations between IISL and COPUOS.

THE 40TH IISL COLLOQUIUM TORINO, ITALY, OCT. 1997

The Board decided on the following theme and sessions/chairmen:

"Symposium celebrating the 30th Anniversary of the Outer Space Treaty of 1967"

Session 1: Background and History of the Outer Space Treaty

Chairmen: N. Hosenball and A.A. Cocca
(invited papers only)

Session 2: Concepts of Space Law and the Outer Space Treaty

Chairmen: E. Galloway and G. Catalano Sgrosso

A session to explore the concepts of law contained in the Outer Space Treaty and the elaboration of those concepts as contained in the subsequent international treaties and agreements in space law

Session 3: Applications & Implementation of the Outer Space Treaty

A session to explore the problems and realities of applying and implementing the Outer Space Treaty and the basic provisions of space law therein

Chairmen: S. Doyle and G. Lafferranderie

Session 4: The Future Applications of the Outer Space Treaty

Examination of the Treaty from a 21st century perspective; should the Treaty be amended, supplemented or otherwise reinforced?

Chairmen: K.-H. Böckstiegel and A. Terekhov

The possibility of a special event (a dinner for example) for the IISL on the occasion of the 30th anniversary of the Treaty (10th October

1997), and the 40th anniversary of the Colloquium on the Law of Outer Space is being investigated.

The 6th Manfred Lachs Space Law Moot Court Competition will be held during the 1997 Colloquium. The case is currently being drafted and will deal with remote sensing and data protection. Contact will be established with local authorities to organize the logistics of the competition, and US and European universities will be contacted in the summer for participation in the regional preliminary competitions.

TOPICS FOR FUTURE COLLOQUIA

Since the 1997 colloquium will be totally dedicated to the Outer Space Treaty, the Board decided to retain several topics for the 1998 Colloquium in Australia: these suggestions are hereby communicated as preliminary ideas; *IISL members are invited to provide further suggestions and input:*

- Legal and policy aspects of Confidence Building Measures using space technology,
- The 30th anniversary of the Rescue Agreement,
- Legal aspects of navigation satellites,
- Legal Aspects of Sharing Benefits from the Conduct of Space Activities.
- Institutional approaches to managing space resources.

ACTIVITIES/PUBLICATIONS

- The Proceedings of the Oslo Colloquium have been published by the AIAA. Ms J. Clayton has been appointed as the **new liaison officer with AIAA**; Ms M. Smith continues to serve as alternate.
- A 1996 Brochure describing the IISL, its programs and officers is being published with the support of Dr. Kosuge.
- Working group on definitions: no specific progress has been reported; Prof. Gorove will report on the work of this group in Beijing.
- Working group on dispute settlement and cases regarding activities in outer space: Prof. Böckstiegel has submitted a report to the Board. For Europe, cooperation has been established with the European Centre for Space Law (ECSL) via its Chairman Dr Lafferran-

derie. In the US, Dr Doyle is exploring the possibility of finding a publisher for the loose-leaf publication who could also take responsibility for the collection of cases.

- 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 Beijing Colloquium.
- UN Highlights in Space Report: the IISL will again prepare a report on recent developments in space law for the UN annual review of developments in international cooperation and space law.
- The overall author and subject index of IISL proceedings, as a joint UN/IISL effort, is expected to be available for the COPUOS session in June. All paid-up IISL members may request a copy from the President.
- the development of additional activities for IISL members is currently being explored, for example by organizing a separate event in Europe or in the US; such an activity would have to be of a different character than that of the colloquium, so as to avoid any overlap which could be detrimental to attendance of the IAF Congress. *Suggestions are welcome.*
- At the occasion of the 50th Anniversary of the International Court of Justice, a colloquium was held last April in The Hague on the topic "Equipping the Court to deal with developing areas of international law: Space Law". The session was chaired by H.E. Judge V.S. Vereshchetin. The speaker was Prof. Dr. K.H. Böckstiegel, and the Commentator was Ms. Lucy Stojak.

VARIOUS

- Amb. Cocca informed the Board of the establishment of the "Air and Space University" in Buenos Aires. IISL members are welcome to visit the institution. He will keep the Institute informed of the activities of this University.
- E-mail: the Secretary requests members to send their e-mail addresses for inclusion in the membership list; the Secretary can be reached at <jm13@calva.net>.
- Internet: at <www.iafastro.iplus.fr> you can find information about the IAF, the Beijing Congress, the Beijing IISL Colloquium, the IISL Board etc.

INPUT FOR NEWSLETTERS

The Board invites Members to submit relevant information to the Secretary for inclusion in future issues of the Newsletter. In order to be included in the next Newsletter, which will be issued after the Beijing Colloquium, such information must have been received by the Secretary by 30 October 1996. The Board reserves the right to decide what information will be published.

HOW TO ORDER PROCEEDINGS

IISL members are entitled to purchase copies of the Proceedings at a 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/TASCO*, 9 Jay Gould Court, P.O.Box 753, Waldorf, Maryland 20604, USA, fax 301/843-0159. Issues from 1979-1984 retail for US\$50 an issue (US\$25 for IISL members); the 1985 issue is out of print; issues from 1986-1993 retail for US\$59.50 an issue (US\$29.50 for IISL members). Issues from 1994-1996 retail for US\$84.95 an issue (US\$64.95 for IISL members). All orders outside the US and orders inside the US under \$100 must be prepaid. An order form may be obtained from the IISL Secretary.

NOTE

The 2nd Announcement of the **47th IAF Congress**, Beijing, 7-11 Oct., has been mailed to all IISL members. Additional information may be obtained from: The 47th IAF Congress Secretariat, PO Box 1408, Beijing 100013, China, tel. + 86 10 6837 2905, fax + 86 10 6837 3181, e-mail <iaf@public.bta.net.cn>
For information on registration, hotels, visa, contact Ms Lily Wang, CICCST/IAF, tel + 86 10 6257 5686, fax + 86 10 6257 5691, e-mail <llwang@public.bta.net.cn>

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