

INTERNATIONAL INSTITUTE OF SPACE LAW
OF THE INTERNATIONAL ASTRONAUTICAL FEDERATION

INSTITUT INTERNATIONAL DE DROIT SPATIAL
DE LA FEDERATION INTERNATIONALE D' ASTRONAUTIQUE

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NEWSLETTER No. 65 - DECEMBER 2003

46th IISL COLLOQUIUM, 29 SEPT. - 3 OCT. 2003, BREMEN, GERMANY

The 46th IISL Colloquium was held from 29 sept. to 3 Oct. 2003 in Bremen, Germany. About 80 persons attended the sessions and most of the more than 70 papers were presented.

The following sessions were held:

Session 1: Legal Aspects of Applications and Private Space Activities; Chairmen: Maurice Andem and Hermann Ersfeld; Rapporteur: Philippe Achilleas

Session 2: Space Treaties, Law and Policies and Telecommunication Issues; Chairmen: Lesley Jane Smith and Peter Van Fenema; Rapporteur: Martha Mejia-Kayser

Session 3: Space Law and International Security
Chairmen: John B. Gantt and Yuri Kolosov;
Rapporteur: Liara Covert

Session 4: Space Traffic Management and Navigation; Chairmen: José Monserrat Filho and Lubos Perek; Rapporteur: Sylvia Ospina

Session 5: New Issues Relating to Nuclear Power Sources; Chairmen: Stephan Hobe and Marcia Smith; Rapporteur: Gerardine Goh

The discussion session was held as usual on Friday and was chaired by the President.

The IISL also held a successful Plenary Event on "Space Business: Emerging Profitability in Space", at which the following speakers expressed their views: Stéphane Chenard, Executive Vice-President of Euroconsult in

France, Wilfried Bornemann, Director, Navigation & Constellations of Astrium Earth Observation, Navigation & Science in Germany, Dr M.G. Chandrasekhar of World Space, Roscoe Moore III, President of PeerSat Inc. in the USA, Robert Z. Dalal, Chief Executive Officer of Space Imaging Inc. in the USA, Ramin Khadem, Chief Financial Officer of Inmarsat Ventures plc in the UK, and K. R. Sridhara Murthi, Executive Director of Antrix Corporation Ltd. in India. The panel was coordinated by Jim Keravala and the IISL President.

12TH MANFRED LACHS SPACE LAW MOOT COURT COMPETITION 2003

The 12th Manfred Lachs Space Law Moot Court Competition was held during the Bremen IISL Colloquium. The Case Concerning the Mineral Exploitation of Boznêmcová and Related Incidents (Vesta v. Ceres) was written by Michael Davis and Ricky Lee, both from Australia. Preliminaries were held at regional level in Europe (among 5 teams), the USA (among 7 teams) and in Asia Pacific region (among 13 teams).

The Finals were judged by three Judges of the International Court of Justice; i.e. H.E. Judge Guillaume, H.E. Judge Koroma and H.E. Judge Vereshchetin.

The German Aerospace Agency DLR and EADS Space Transportation sponsored the IISL dinner, and the University of Bremen has provided support. The IISL is most grateful to them.

The famous Ratskeller restaurant in downtown Bremen was the location for the dinner, and the Landgericht kindly provided its beautiful courtroom for the finals.

RESULTS OF THE WORLD FINALS:

- Winner: University of Auckland, New Zealand (Jesse Wilson and Isaac Hikaka)
- Runner up: Georgetown University Law Center, Washington DC USA (Amanda Shafer, Petra Vorwig, and Melissa Beiting)
- 2nd runner up: University of Bremen, Germany (Deirdre Ní Chearbhaill, Kamlesh Gungaphul, and Giorgi Kavtaradze)
- Eilene M. Galloway Award for Best Written Brief: University of Bremen, Germany
- Sterns and Tennen Award for Best Oralist: Petra Vorwig, Georgetown University Law Center

PARTICIPANTS IN THE REGIONAL ROUNDS

USA:

Georgetown University, Washington DC
University of North Carolina, North Carolina
Golden Gate University, California
University of St. Thomas, Miami
University of Virginia, Virginia
Vanderbilt University, Tennessee
Howard University, Washington DC

Europe:

University of Leiden, the Netherlands
University of Jaen, Spain
University of Milan, Italy
University of Warsaw, Poland
University of Bremen, Germany

Asia Pacific:

China University of Politics and Law
Chulalongkorn University, Thailand
National University of Singapore
Sophia University, Japan
Tsinghua University, China
University of Auckland, New Zealand
University of Malaya, Malaysia
University of New South Wales, Australia
University of Queensland, Australia
University of Sydney, Australia
University of Technology Sydney, Australia
University of Tokyo, Japan
University of Western Sydney, Australia

CONTACT DETAILS REGIONAL ROUNDS:

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Prof. Alexis Goh, Australia
Prof Francis Lyall, Scotland UK
Prof V.S. Mani, India
Ms. Martha Mejia-Kaiser, Mexico
Prof. Maureen Williams, Argentina

JUDGES FOR SEMI FINALS:

Prof. Stephan Hobe, Germany
Ms. Marcia Smith, USA
Dr. Olivier Ribbelink (The Netherlands)

JUDGES FOR FINALS:

H.E. Judge Gilbert Guillaume, ICJ
H.E. Judge Abdul Koroma, ICJ
H.E. Judge Vladlen Vereshchetin, ICJ

AWARDS

A Distinguished Service Award was presented to Dr Kai-Uwe Schrogl during the IAF Banquet.

Ms Joann Clayton-Townsend also received an award *in absentia*.

The Dr. I.H.Ph. Diederiks-Verschoor Award was given for the 3rd time in Bremen, to Ms Gerardine Goh of Singapore for her paper "TINTALLE - kindling International Security with Space Law". In total, 6 papers had been submitted. Prof Fernandez Brital provided the medal.

ELECTIONS

The Nomination Committee (Ms Clayton Townsend, Prof. Jakhu and Prof. Lyall, chair) recommended re-election of Prof. Kopal as Vice-President, of Ms. Masson-Zwaan as Secretary, and of Dr. von der Dunk as Treasurer. It also recommended re-election of Profs. Kosuge and Monserrat, Ms. Ospina and Dr. Terekhov, and appointment of Dr. Matte and Dr He Qizhi as Honorary Directors. It finally recommended the election of Ms. Smith as Vice-President, and of Prof. Jonathan Galloway (USA) and Dr Sridhara Murthi (India) as Directors.

The Board had unanimously decided to appoint Dr. Matte and Dr He Qizhi as Honorary Directors. The Assembly adopted the report by consensus.

NEW MEMBERS

The following new members were elected:

Institutional member:

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UNCOPUOS

- IISL members may request to be appointed as official **IAF observers** for the Legal Sub-Committee (29 March–8 April 2003) and/or the Plenary Session (11-20 June 2004). Please contact the Secretary **before February 2004**.

- IISL and ECSL will again organize a **Symposium for LSC delegates on 29 March 2004** (afternoon) on "New Developments and the legal framework covering the exploitation of the resources of the moon". Amb. Jankowitsch agreed to chair the meeting.

SPACE LAW CONFERENCE BEIJING, 25-27 APRIL 2004

The Chinese Institute of Space Law (CISL) will host the next regional conference in Beijing, China, from **25-27 April 2004**. The Conference had to be postponed last year because of SARS. The Conference is sponsored by the China National Space Administration; the Ministry of Science and Technology; the Chinese Academy of Sciences; and the China Aerospace Science and Technology Corporation.

The programme has been updated and slightly revised, and has been posted on the IISL and IAF websites. The Conference will focus on the following sessions-topics: (1) National Space Programmes, Policies and Legislation in Asia; (2) Trade Issues, including Insurance, Financing, Asset protection, Export controls; (3) Use of GNSS and benefits for the Asian Region; (4) Commercial Use of Space, including Launching; (5) Protection of Developing Countries' Interests, including Access to Space, and (6) Remote Sensing & Telecommunications. Special keynote lectures will address the Development and Future of Aerospace Technology in China, and the Development of Satellite and Manned Space Flight in China.

More information can be found on the IISL website or from CISL at cisl@httx.com.cn

47th IISL COLLOQUIUM, 4-8 OCT. 2004 VANCOUVER, CANADA

SESSION 1 - New developments in National Space Legislation

The session will focus on new developments at the level of national space legislation, dealing with such issues as the involvement of private entities, the regulatory and/or participatory roles of governments, and the impact of international co-operation at the domestic level. Papers should specifically address developments regarding further implementation of existing national space legislation, and initiatives to establish new national space legislation.

Chairmen: Dr. Frans von der Dunk, The Netherlands, and Dr Louis Haeck, Canada.
Rapporteur: Dr. Patrick Salin, Canada.

SESSION 2 - International Law and Practice of Agreements on Cooperation regarding Space Activities

Since the adoption by the UN General Assembly of the Declaration on International Cooperation of 1996, a large practice has developed as to cooperative agreements, also involving developing states. Papers should focus on multilateral and bilateral agreements formalizing cooperation amongst governments and space agencies. Regarding multilateral agreements, authors could address for instance those regarding telecommunications, the ISS (including the MoU's at the level of space agencies) or GNSS (Navigation Systems). Regarding bilateral agreements they could focus on agreements relating to specific space projects, for instance regulating the use of spaceports by foreign governments and operators (Alcantara, Bajkonour) or on the use of remote sensing data: Landsat, Envisat, SPOT, RadarSat.

Chairmen: Mr. Marco Ferrazzani, ESA/Italy and Mr Paul Fauteux, Canada

Rapporteur: Ms Macha Ejova, Russia

SESSION 3 - A General Convention on Space Law?

Papers should consider aspects of the desirability or otherwise of the elaboration of a general convention to codify existing space law, the questions of procedure and substance that would arise, and the possible progressive development of space law through such an instrument.

Chairmen: Prof. Dr. Ram Jakhu, Canada, and Dr Lucy Stojak, ISU/Canada

Rapporteur: Dr. A.A. Golrounia, Iran

SESSION 4 and 5 - Other Legal Matters

Papers may address all other legal matters. Authors are specifically invited to address recent developments in the field of Commercialization and Privatization of Space Activities

Chairmen: Dr. Sylvia Ospina, Colombia and Dr Pierre Nadeau, Canadian Space Agency, Canada.

Rapporteur: **tbid** (If you are interested please contact the secretary)

The topics of sessions 4 and 5 will be determined after all abstracts have been reviewed.

Contrary to earlier reports, no Scientific/Legal Roundtable will be held in Vancouver.

IISL will propose to organize a Plenary Session.

Practical Arrangements

All authors must submit an abstract for approval by the Board. The abstract must comply with the instructions provided in the **Call for Papers** (which can be downloaded at www.iac2004.ca), summarized below. Each abstract must be accompanied by an abstract information form.

- Abstracts must be between one-half and one full page in length.
- Abstracts must be written in English.
- Upper Margin 3cm, Bottom Margin 2cm, Left Margin 2cm, Right Margin 2cm
- Centered at the top of the page, the following information should be indicated in the order given: Paper Title, Name of contact author, Name of co-author(s), Organization(s), Provide full postal address, phone, fax and e-mail of the author and co-author(s).
- Copies must be sent to the Symposium Coordinator (= IISL Secretary)
- Please submit your abstract via electronic mail sent to iaf@wanadoo.fr or to iafplus@wanadoo.fr including your abstract and its abstract form as attachments to the electronic mail message and using the first words of the abstract title to name the attachment.
- Send your attachment in a MS Word file (*.doc).
- Postal Mail Submittal: The original must be typewritten in black on plain white paper. Mail the original to IAF Headquarters. Faxed abstracts will NOT be considered.
- The Proceedings of the 47th Colloquium on the Law of Outer Space will be published by the AIAA. Acceptance of papers for presentation at the Congress does not imply acceptance for publication. IISL Authors should follow the above instructions for the submission of their abstracts. Deadline for submission of manuscripts (typed in two columns, in English, on regular paper) is September 24, 2004 in accordance with the written instructions authors will receive after the paper has been accepted. Colloquium papers are not available in preprint form at the Congress but will be distributed by authors during the sessions (bring 100 copies for that purpose).

ALL ABSTRACTS MUST REACH IAF BY 20 FEBRUARY 2004 - NO EXCEPTIONS WILL BE MADE.

The decision on acceptance will be made at the Spring meeting of the Board. Authors will be notified of acceptance of their papers by the IAF.

DR. I.H.PH. DIEDERIKS-VERSCHOOR AWARD

All authors will receive an invitation to apply for this Award with their instructions package. This year, in addition to the prestigious medal, the winner will also get a money prize of 500 Euros.

13th MANFRED LACHS SPACE LAW MOOT COURT COMPETITION 2004

The semi finals and finals of the 13th Manfred Lachs Space Law Moot Court Competition will be held during the 2004 Colloquium in Vancouver. The Case Concerning the Commercialisation of a Space Station (Palladia v Zirconia) was written by André Farand, Ricky Lee, Frans von der Dunk and John Gantt. Three Judges of the International Court of Justice will be invited to judge the Finals.

Regional rounds will again be held in Europe, the USA and the Asia Pacific, details about each round and the case are on www.spacemoot.org

For the Asia Pacific round, China is again organizing a national round, and ISRO of India is organizing a round for teams from India to obtain funding to take part in the Asia Pacific Round which will take place in Sydney in march 2004.

The European round is expected to be held at Estec in The Netherlands, in cooperation with the International Institute of Air and Space Law in Leiden. The round is planned to be covered by a live web-cast.

The Association of US members of IISL, AUSMIISL, has invited teams from Canada and Mexico to take part in what has been renamed the North American round.

The arrangements for the moot court are being put in place by a local committee, led by Dr Jakhu, in which representatives of the Local Organizing Committee take part along with many of our Canadian members.

48TH IISL COLLOQUIUM, FUKUOKA, JAPAN 17-21 OCTOBER 2005

The Board will decide on session topics at its Spring Meeting.

Suggestions are most welcome and should be sent to the Secretary before 1 March 2004.

The 14th Manfred Lachs Space Law Moot Court Competition will be held in Fukuoka, Japan in 2005. The Problem will be written by the US members.

ACTIVITIES/ PUBLICATIONS

• Proceedings Colloquia:

The Houston volume has been published by AIAA.

• History of the IISL: Dr Doyle published his book: Origins of International Space Law and the International Institute of Space Law of the International Astronautical Federation (Univelt, 2002). <http://univelt.com/univeltpubs/index.html>

Members may order a copy at the special price of USD 25.

• Standing Committee on the Status of International Agreements Relating to Activities in Outer Space, Dr. Terekhov's report will as usual be printed in the Proceedings.

• UN Contract for IISL contribution to Highlights in Space Report: the report has been prepared by Dr. Sylvia Ospina and Dr. Bradford Smith.

• Report of IISL activities to COPUOS LSC: Dr. Jakhu has prepared this report.

• Update of the IISL Bibliography: Dr. Sergei Negoda has offered to prepare an update, covering 1996-2003, and have it published by OOSA.

• New Membership list:

All paid-up IISL members will find the new updated list with this issue of the newsletter.

Members are urgently requested to communicate any changes in their contact details to the secretariat.

DUES

An invoice for membership dues for 2004 (unless already paid in advance) and, where applicable, previous years will be mailed separately by the Treasurer.

From 2004 on, Membership dues will be expressed in Euros and **will be increased to 50 Euros** (they have never changed since their introduction in 1994). Each year in November, the Treasurer will establish the countervalue in USD for the next year. For 2004, the countervalue has been set at 60 USD.

Several members who were 3 or more years in arrears as of December 31, 2002 were moved to the list of former members.

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 Spring Board Meeting, such information must be received by the Secretary before 15 March 2004. The Board reserves the right to decide what information will be published.

In September 2003, our Vice-President **Marcia Smith** was presented with the 2003 **Women in Aerospace Lifetime Achievement Award**. Warm congratulations to Marcia!! See <http://www.womeninaerospace.org/> for details.

HOW TO ORDER PROCEEDINGS

IISL members are entitled to purchase copies of the Proceedings at a discount.

Volumes 1 to 3 are available from the IISL Secretariat for a special price of US\$30/set.

Other back issues are available from:

William S. Hein & Co., 1285 Main Street, Buffalo NY 14209, tel 716-882 2600, fax 716 883 8100.

Issues from 1993 are available from

AIAA/TASCO

9 Jay Gould Court, P.O.Box 753, Waldorf, Maryland 20604, USA.

Tel 301-645 3651; fax 301-843-0159.

E-mail aiaa@tasco1.com

The prices are (in \$US):

93-96: List price 84.95, Members 64.95

97: List price 94.95, Members 74.95

98-02: List price 99.95, Members 79.95

Years refer to colloquia ('02 is Houston.).

All orders from TASCO must be prepaid.

FINAL NOTES

For information on the 55th International Astronautical Congress in Vancouver contact:

55th IAC Secretariat:

International Conference Services

604 - 850 West Hastings St.,

Vancouver, BC Canada V6C 1E1

Phone: (604) 681-2153

Fax: (604) 681-1049

e-mail: congress@iac2004.ca

Web site: www.iac2004.ca

Registration, Accommodation:

registration@iac2004.ca

Programme:

<http://www.iafastro.com> or <http://iafastro-iisl.com>

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