

INTERNATIONAL INSTITUTE OF SPACE LAW
OF THE INTERNATIONAL ASTRONAUTICAL FEDERATION

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INTRODUCTION

The Board of Directors met on March 20th, 2004 in Paris. The deliberations and decisions of the Spring Meeting are reflected in this Newsletter.

SPACE LAW CONFERENCE BEIJING, CHINA, 25-27 APRIL 2004

The Regional Space Law Conference "Asia: A Regional Force in Space" was held from 25-27 April 2004. The China Institute of Space Law (CISL) and IISL co-organized the event, which was 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 Conference focused on the following 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 addressed the Development and Future of Aerospace Technology in China, and the Development of Satellite and Manned Space Flight in China. Speakers came from all parts of the world, including Asia, Europe and North America. The Conference was a great success. About 100 participants from many different backgrounds attended, including high-level representatives from industry, government and academia. The lectures were well received and the organisers have decided to publish the Proceedings.

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

Sessions:

- IISL 1: New Developments in National Space Legislation; Chairs S. Hobe and F. von der Dunk, Rapporteur P. Salin; 21 papers
- IISL 2: International Law and Practice of Agreements on Cooperation regarding Space Activities; Chairs P. Fauteux and M. Ferrazzani, Rapporteur M. Ejova; 17 papers
- IISL 3: A General Convention on Space Law?; Chairs R. Jakhu and S. Mostesher, Rapporteur A. Golrounia; 13 papers
- IISL 4: Legal Issues relating to Private Enterprise, Property Rights and Space Applications; Chairs P. Nadeau and S. Ospina, Rapporteur K. Weidaw; 19 papers
- IISL 5: Other Legal Matters: Telecoms, NPS and Military Implications; Chairs K.U. Schrogl and L. Stojak, Rapporteur M. Mejia-Kaiser; 14 papers.

Each session will have a discussion at the end of the presentations, and the shortest session will be held on Friday. That will be followed by a **longer discussion** to round off the colloquium

Members are informed that the Board has decided to hold the **General Assembly on Wednesday**, after the morning session, **instead of Friday**. In past years, experience has shown that many people leave before the end of the week, and having the GA on Wednesday may result in better attendance.

Meeting schedule

- Board of Directors Monday afternoon
- Session 1 Tuesday morning

- Moot semi-final Tuesday 1 pm
- Session 2 Tuesday afternoon
- Session 3 Wednesday morning
- GA Wednesday noon
- Session 4 Wednesday afternoon
- Moot court finals Thursday afternoon
- IISL Dinner Thursday evening
- Session 5 Friday morning
- IAF Gala Dinner Friday evening

Practical information:

- All authors have been informed by the IAF whether their paper was accepted. Please follow the instructions closely, and **PLEASE DO NOT FORGET TO SIGN THE PROPER COPYRIGHT FORM!**
- Please note that all authors should re-submit their abstracts for the IAF Book of Abstracts and the CD-ROM that IAF will produce; instructions were included with the author's kits sent by AIAA.
- Authors are strongly urged to use the proper format requested by the AIAA. Papers which are not formatted according to the instructions will not be printed in the Proceedings. The AIAA (Betty Guillie) can be reached at 1801 Alexander Bell Drive, suite 500, Reston, VA 20191, USA, Tel 1-703 2647573, Fax 1-703 2647551, e-mail bettyg@aiaa.org, <http://www.aiaa.org>
- Authors who qualify may request their paper to be considered for the **Dr. I.H.Ph. Diederiks-Verschoor Award for Best Paper** please contact the Secretary (regulations were circulated to all authors with the authors instructions). **Note: an award of 500 Euros has been added to the Medal!!!**
- Authors must bring ± 75 copies of their papers for distribution at the Colloquium. *Bring these directly to the IISL Session!* Papers should be put on the table before or after each session and NOT during the session following the presentation of any paper.
- Each speaker will have 15 minutes to present his/her paper.
- Each session will have a discussion at the end of the presentations.
- The shortest session will be held on Friday, and that will be followed by a longer discussion to round off the colloquium
- The Secretary will check in September how many authors will be present, and thus reschedule the sessions as necessary.
- In order to be considered for publication, a paper must be presented at the Colloquium, either by the author himself, or, in summary, by another person, and paper copies must be made available. Note: the Board has decided to enforce this rule more strictly!!! **No paper = no presentation and no publication!**
- An author whose paper is published in the Proceedings, as well as all IISL Members,

may buy the Proceedings at a reduced price.

13th MANFRED LACHS SPACE LAW MOOT COURT COMPETITION

The 13th Manfred Lachs Space Law Moot Court Competition will be held during the Vancouver Colloquium. Semi-finals will be held on Tuesday 5 October (a CLOSED session). The Finals will be held on Thursday 7 October at the Law Faculty of the University of British Columbia (UBC). Three Judges of the ICJ will judge the Finals.

The Sterns and Tennen award for Best Oralist, the Eilene M. Galloway Award for Best Brief, and the Manfred Lachs Trophy will be awarded as usual.

For the **European** round, 9 teams registered. The round was held at ESTEC and was webcast live with the help of the ESTEC Communications Department. In the **Asia Pacific** round, 22 teams registered. For the first time, a domestic funding round was held in India. In the **USA**, 9 teams registered. Mexico and Canada were invited to take part in the US round, but neither registered a team. ECSL, NASA and JAXA will sponsor the winners to travel to Vancouver.

The Board would like to express its great admiration for **Mr. Ricky Lee**, whose hard work has resulted in an excellently organized competition with a record number of participants and judges.

The **winners of the preliminary rounds** are the University of Leiden, The Netherlands, Georgetown University Law Center, Washington DC, USA, and the National Law School of India University, Bangalore, India. The team with the highest score for written briefs will go directly to the Finals, the other two teams will meet first in the Semi Final.

The UBC will host the moot court and will co-sponsor the IISL dinner on Thursday evening at UBC's Cecil Green. The travel/accommodation arrangements and social programme of the Judges are being finalized, but **sponsors are badly needed – anyone able to help is kindly requested to contact the Secretary.**

AWARDS & CERTIFICATES

The Board decided unanimously that a Certificate will be presented to our Treasurer **Dr Frans von der Dunk**.

ELECTIONS

In 2004 the term of office of Prof Lyall will expire. The nomination committee consists of Prof. Galloway (chair), Prof. Back Impallomeni and Prof. Monserrat. It will give its report in Vancouver.

UNCOPUOS

NEW MEMBERS

The following members were elected:

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- Several members served as official **IAF observers** for the Legal Sub-Committee (29 March–8 April 2004) and/or the Plenary Session (11-20 June 2004).
- IISL and ECSL organized a **Symposium for delegates on 29 March 2004** (afternoon), dealing with “New Developments and the Legal Framework covering the Exploitation of the Resources of the Moon”. Ambassador Jankowitsch chaired the event. Speakers were Dr. Leslie Tennen, Prof. Armel Kerrest, Prof. Dr. Stephan Hobe and Dr. Rajeev Lochan. Prof. Sergio Marchisio, the newly elected Chairman of the Legal Subcommittee, gave concluding remarks.
- IISL presented a report on its activities to the COPUOS, and submitted a report for the UN Highlights in Space Report. The latter was prepared by Sylvia Ospina and Bradford Smith.
- The Board expresses many thanks to all those who helped in writing and presenting these reports.

48TH IISL COLLOQUIUM 17-21 OCT. 2005, FUKUOKA, JAPAN

The following sessions will be held:

- 1) **Session 1: Convergence and privatisation in telecommunications: institutional and other responses;** Technical and commercial developments in telecommunications have required institutional and other changes in the telecoms sector. Papers may review critically such revised organisations as ITSO and IMSO in the light of their new responsibilities, developments within the ITU and the success or otherwise of its transformation over the last decade, the legal basis and possible outcomes of WSIS, or the effect of domestic innovation in regulation (e.g. US or EU) within the international context. Other problems of convergence and privatisation may be identified and suggestions made for their solution. **Chairs:** Prof. Kosuge, and Prof. Lyall; **Rapporteur:** Mr S. Nandakumar
- 2) **Session 2: Legal Aspects of Expanding Human Presence Beyond Low Earth Orbit** Currently, various plans are being developed which would result in human presence beyond low Earth orbit. Papers are invited to deal with various legal aspects thereof. To what extent do existing space treaties and principles limit human and robotic activities beyond low Earth orbit (e.g. in the commercial arena). What new instruments are required as humans plan to travel, work and live in space beyond low earth orbit? Should the international space community look beyond specific precedents such as the International Agreement on the Space Station

and develop a general convention on Humans in Space, or proceed incrementally on a case by case basis? **Chairs:** Prof. Agou, and Prof. Back Impallomeni, **Rapporteur:** Prof. Aoki

- 3) **Session 3: Legal issues related to new developments in space applications: navigation, remote sensing and GIS;** Increasingly, space applications are developed in conjunction with other space applications, and the areas of satellite navigation and remote sensing provide an interesting example thereof as they are both incorporated into GIS and related systems. Papers are invited to address either of the topics of navigation and remote sensing, in particular focusing on new developments as to such overarching issues as GIS, and deal with the legal aspects thereof, for example on privacy and data protection, security issues & encryption, access to data etc. **Chairs:** Prof. Nakamura, and Prof. Galloway, **Rapporteur:** Dr Mejia-Kaiser
- 4) **Session 4: Other legal matters 1;** Papers may address all other legal matters. The exact schedules of session 4 and 5 will be determined after acceptance of all abstracts, and will be grouped according to topics, in either session 4 or 5. **Chairs:** Mr. Satoh, and Ms Sterns, **Rapporteur:** Mr. Hashimoto
- 5) **Session 5: Other legal matters 2;** Papers may address all other legal matters. The exact schedules of session 4 and 5 will be determined after acceptance of all abstracts, and will be grouped according to topics, in either session 4 or 5. **Chairs:** Prof. Nakatani, and Prof. Catalano Sgrosso, **Rapporteur:** Ms Uchitomi

A **Scientific/Legal Roundtable** will be held in Fukuoka on Thursday morning, on Space Traffic Management. **Chairs:** K.U. Schrogl and P. Lala; **Rapporteur:** C. Contant

Moot Court Finals & IISL Dinner: Board member **Prof. T. Kosuge** is heading the Japanese Organizing Committee that closely works with the Local organizing Committee. Several meetings have already been held, also including JAXA.

ACTIVITIES/ PUBLICATIONS

- **An important step** in the history of the IISL has been made: the Board of Directors has, after many months of deliberations, published a Statement on its website on **Claims to Property Rights Regarding The Moon and Other Celestial Bodies**, see www.iafastro-iisl.com
- Proceedings Colloquia: The Proceedings of the Colloquium in Bremen have been

published. Ms Corinne Contant kindly agreed to serve as AIAA liaison for the publication of our Proceedings. She has done a wonderful job, which the Board highly appreciates.

- Standing Committee on the Status of International Agreements Relating to Activities in Outer Space, the report will as usual be available at the Colloquium
- Update of the Bibliography 1996-2003: Dr Negoda of OOSA is currently working on an update of the space law bibliography of our Proceedings.
- A revision of our Statutes is being prepared by a Committee of several Board Members, with a view to incorporating the IISL in The Netherlands. It is expected that the proposal can be sent to the Members in advance of the Vancouver meeting, for decision by the General Assermbly.

INPUT FOR NEWSLETTERS

The Board invites Members to submit relevant information to the Secretary for inclusion in the Newsletter. In order to be included in the next Newsletter, which will be issued after the Bremen Colloquium, such information must be received by the Secretary before 15 November 2004. 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. Back issues are available from William S. Hein & Co., 1285 Main Street, Buffalo NY 14209, tel 1-800 828 7571 or 716-882 2600, fax 716 883 8100 (Volumes from 1980-1992 are out of print).

For issues from 1993 contact AIAA/TASCO, 9 Jay Gould Court, P.O.Box 753, Waldorf, Maryland 20604, USA, fax 301-843-0159, email aiaa@tasco1.com

The IISL website <http://www.iafastro-iisl.com> has links to the Proceedings volumes sold by AIAA.

The prices are (in \$US):

- 93-96: List price 84.95, Members 64.95
- 97: List price 94.95, Members 74.95
- 98 -03: List price 99.95, Members 79.95

All orders from TASCO must be prepaid.

FINAL NOTE

The 2nd Announcement of the **IAF CONGRESS** in **Vancouver** has been mailed to IISL members. For more information visit www.iafastro.com