

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. 68 - JUNE 2005

INTRODUCTION

The Board of Directors met on March 19th, 2005 in Paris. The deliberations and decisions of the Spring Meeting are reflected in this Newsletter.

SPACE LAW CONFERENCE BANGALORE, INDIA, 26-29 JUNE 2005

The 3rd Regional Space Law Conference "Bringing space benefits to the Asian region" will be held from 26-29 June 2005 in Bangalore, India. The Indian Space Research Organisation (ISRO), the Astronautical Society of India (ASI) and IISL co-organized the event, which will be held simultaneously with the IAA Conference on planetary exploration, with several plenary sessions to be held. The Conference will address the following topics: (1) Planetary Exploration: Technological Challenges and Legal Implications, (2) Legal aspects of launch services, (3) National space legislation: towards a Blueprint, (4) A special case: Disaster Management, (5) Telecommunications, including tele-education and tele-medicine, (6) Remote Sensing and GI (Geographical Information, (7) Commercial issues involved with space activities.

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

Sessions:

- IISL 1 - Legal issues related to new developments in space applications: navigation, remote sensing and GIS; Chairs: Prof. Nakamura and Prof. Galloway, Rapporteur: Dr Mejia-Kaiser – 12 papers

- IISL 2 - Legal Aspects of Expanding Human Presence Beyond Low Earth Orbit; Chairs: Prof. Agou and Prof. Back Impallomeni, Rapporteur: Prof. Aoki - 11 papers
- IISL 3 - Other legal matters 1, including legal aspects of sub-orbital flights; Chairs: Mr. Satoh and Ms Sterns, Rapporteur: Mr. Hashimoto - 14 papers
- IISL 4 - Other legal matters 2, including legal aspects of property rights on the Moon Chairs: Prof. Nakatani and Prof. Catalano Sgrosso, Rapporteur: Ms Uchitomi, - 14 papers
- IISL 5 - Convergence and privatisation in telecommunications: institutional and other responses; Chairs: Prof. Kosuge and Prof. Francis Lyall, UK, Rapporteur: Mr S. Nandakumar, - 6 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.

The **Scientific/Legal Roundtable** dealing with *Space Traffic Management* will be held on Thursday morning.

An **IISL Plenary** on *Commercial Space Business and the Global Earth Observation System of Systems (GEOSS)* is being organised by Werner Balogh and is scheduled for Wednesday.

The **General Assembly** will again be held on **Wednesday**, after the morning session.

Meeting schedule

Session 1 Tuesday 8h30
Moot court semi-final Tuesday 13h00 (CLOSED)

Session 2	Tuesday 14h30
Session 3	Wednesday 8h30
Gen. Assembly	Wednesday 11h30
Plenary	Wednesday 13h20-14h20
Session 4	Wednesday 14h30
Moot court finals	Thursday 14h00
IISL Dinner	Thursday evening
Session 5	Friday 8h30
IAF Gala Dinner	Friday evening

Practical information:

Written paper

All authors have been informed whether their paper was accepted. **Detailed instructions can be downloaded from the IAF website, www.iafastro.com** **These instructions apply also to IISL papers.**

Before you can upload your papers, you must fill in the copyright form online. Please follow all instructions closely. **Note that there is a special copyright form for IISL papers.**

All papers must be uploaded by September 23, to be included in the **CD-rom** that will hold all IAC papers. If your paper is uploaded after that date, it can still be accessed online at the Congress.

This being the case, **it is no longer required to bring a large number of copies for distribution during the Colloquium** – although you are free to do so. **You must bring the number of copies required in the instructions, i.e 5 if you have uploaded on time, and otherwise 10.**

The required number of copies must be available.

No paper = no presentation /no publication!

If for any reason your paper is NOT uploaded during the congress, you must still bring 75 copies, and upload as soon as possible but no later than 1 month after the Congress.

Although IISL papers will be included in the CD-rom, the IISL Proceedings, containing additional materials, will continue to be published by AIAA.

To be considered for publication, **the final version of your paper must be available not later than one month after the Congress.** This is an exception to the rule that all papers must be uploaded by the start of the Congress, and the extension is only to be used in special cases and after consulting with the secretary.

Papers that are not formatted according to the instructions will not be printed in the Proceedings.

Authors who qualify may request their paper to be considered for the **Dr. I.H.Ph. Diederiks-Verschuur Award for Best Paper.**

Please contact the Secretary for the regulations.

Oral presentation

Speakers making use of Powerpoint must follow the instructions provided to all authors. Note that

if you want your presentation to be uploaded, this must be done **at least one day before your session!** You may also bring your own computer and connect that, but you may not insert a CD or memory stick into the computer in the room.

Each speaker will have 15 minutes to present his/her paper.

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.

For information on the Fukuoka Congress visit <http://www.iac2005.org/>

14th MANFRED LACHS SPACE LAW MOOT COURT COMPETITION

The 14th Manfred Lachs Space Law Moot Court Competition will be held during the Fukuoka Colloquium. Semi-finals will be held on Tuesday 18 October (a CLOSED session). The Finals will be held on Thursday 20 October at the Seinan Gakuin Law Faculty). Three Judges of the ICJ will judge the Finals: Judges Owada, Koroma and Vereshchetin.

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 participated, with several new universities. The round was held in Guildford, UK at the University of Surrey. In the **Asia Pacific** round, 30 teams took part and domestic funding rounds were held in India and China. In the **USA**, 10 teams competed. McGill University from Montreal, Canada registered a team for the first time.

ECSL, NASA and JAXA will sponsor the winners to travel to Vancouver.

The **winners of the preliminary rounds** are the University of Cambridge, UK, the National University of Singapore, Singapore and Georgetown University, USA. 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.

AWARDS & CERTIFICATES

The Board decided unanimously that a Distinguished Service Award will be presented to our Treasurer **Mr. Ricky Lee.**

ELECTIONS

In 2005 the term of office of the following directors will expire: N. Jasentuliyana (President), E. Back Impallomeni, G. Catalano Sgrosso, S. Hobe, R. Jakhu, L. Perek. R. Ramirez and P. Sterns.

The nomination committee consists of Prof. Galloway (chair), Prof. Monserrat and Dr. van Fenema. It will give its report in Fukuoka and will also propose a measure to rotate approximately one third of the directors each year.

NEW MEMBERS

The following new members were elected:

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UNCOPUOS

Several members served as official **IAF observers** for the Legal Sub-Committee (4-15 April 2005) and/or the Plenary Session (8-17 June 2005).

IISL and ECSL organized a Symposium for LSC delegates on 4 April 2005, dealing with "Recent developments in remote sensing and the desirability of reviewing the 1986 United Nations Principles Relating to Remote Sensing of the Earth from Outer Space". Ambassador Jankowitsch chaired the event. Speakers were Dr. Mahulena Hoffmann, Prof. Joanne Gabrynowicz, Dr. Rajeev Lochan and Mr. Marco Ferrazzani. Prof. Sergio Marchisio, the 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.

49th IISL COLLOQUIUM 2-6 OCT. 2006, VALENCIA, SPAIN

The following sessions will be held:

1. Legal aspects of space transportation and launching

The session deals with new developments in space transportation and launching, and their legal aspects. Papers are solicited on such issues as private launch vehicles and spaceports, international and national export controls in the area of launch services, and the global playing field for launch services.

Chairs: Dr. Alvaro Azcarraga, Spain / Dr. Peter van Fenema, The Netherlands

2. Legal aspects of disaster management

The use of satellite information for disaster management purposes has been growing rapidly, but raises a number of new legal issues. Should international humanitarian laws apply, regardless of national sovereignty issues? Are there any applicable international "good Samaritan" laws? What role can the International Charter on Space and Major Disasters play? Are Remote Sensing Principles and any other relevant rules of space law applicable?

Chairs: Prof. Sergio Marchisio, Italy / Prof. Juan Faraminan Gilbert, Spain

3. International cooperation in space activities, with special focus on remote sensing

This session will examine new means of multinational and bilateral space cooperation among States in different fields of space activities, such as launching, telecommunication, global positioning systems, satellite applications, industrial capacities, professional training. Papers are invited to address remote sensing programs with general and specific purposes.

Chairs: Prof. Joanne Gabrynowicz, USA / Prof. José Monserrat Filho, Brazil

4. Space law at times of armed conflict

This session will address the rules of international law (particularly space law) and specific national laws that may govern the means and methods of conducting armed conflict operations in and from outer space. This may also involve the discussion of legal rules for determining the legitimacy of threat or use of force in and from outer space.

Chairs: Prof. Ram Jakhu, Canada / Prof. Jonathan Galloway, USA

5. Other legal matters, including the relationship between government and private sector in space activities.

This session is intended to deal with any legal matters that are not directly covered by the above four sessions. In view of the overall importance of the subject, in particular papers are solicited to deal with the relationship between the public (both national and international) and private sectors in space activities, such as regarding the development of national licensing regimes, attendant liability issues and registration.

Chairs: Mr. Marco Ferrazzani, ESA / Dr. M^a del Carmen Muñoz Rodriguez, Spain.

A **Scientific/Legal Roundtable** with only invited papers will be held in Valencia. on "**Nuclear Power Systems in space – the new reality**". Co-chairs: Dr. Mendell and Prof. Kopal.

Moot Finals & IISL Dinner: Our member Prof Faramiñan will cooperate with the Secretary and the LOC to make all the necessary arrangements.

ACTIVITIES/ PUBLICATIONS

- Proceedings Colloquia: The Proceedings of the Colloquium in Vancouver are about to be published.

- Standing Committee on the Status of International Agreements Relating to Activities in Outer Space, the report will as usual be available at the Colloquium

- The revision of our Statutes is being finalised and expected to be presented to the General Assembly in Fukuoka.

NEWS FROM MEMBERS

Our Honorary Director Dr. Gabriel Lafferranderie, former Head of the Legal Affairs Department and Legal Adviser at ESA, was awarded the first "Hubert Curien Award" as a tribute to his outstanding contribution to the development of space law. Dr. Lafferranderie is Chairman of the European Centre for Space Law (ECSL), which he founded in 1989.

Our Honorary Director **Prof. Böckstiegel** has been elected President of the International Law Association.

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).

Issues from 1993* are available from AIAA Publications Customer Service, P.O. Box 960, Herndon, VA 20172-0960, USA.

T: 703-661-1595; fax 703-661-1501

E: warehouse@aiaa.org

W: <http://www.aiaa.org/content.cfm?pageid=320>

Prices range from \$64.95 (US) for members to \$140 (US) for non-members.

**Some proceedings may be out of print.*