

TABLE OF CONTENTS

IISL Board of Directors	ix
Introduction	
<i>T. Masson-Zwaan</i>	xi
Photos of IISL Activities in 2007	xv

THE IMPACT OF OUTER SPACE LAW ON REGIONAL POLICIES

1.02 Asia-Pacific Space Cooperation Organization Convention	
<i>H. Zhao</i>	3
1.03 The Disaster Charter: Formulating a Common Space Policy for the Asian Region	
<i>V. Balakista Reddy and D. Banerjee</i>	14
1.04 Studies on National Space Laws and Policies in Asia Pacific Region	
<i>M. Pracha</i>	24
1.05 ASEAN Space Cooperation	
<i>C. Noichim</i>	49
1.06 Lunar Exploration - The Road Ahead	
<i>R. Lochan and V. Gopala Krishnan</i>	56
1.07 From Asian Politics to Astropolitics: The History and Future Shape of Asian Space Policy	
<i>S. Shackelford</i>	68
1.08 The Role of European Regions in the European Space Policy	
<i>M. Morelli</i>	83
1.09 Export Control of Space Items in Europe: Legal and Political Constraints	
<i>A. Bini</i>	92
1.10 Cooperation of ESA and EU Considering Current Challenges During Implementations of Common Projects	
<i>A. Froehlich</i>	103
1.11 The EU INSPIRE Directive: a Suitable Mechanism to Make Spatial Data (More) Available?	
<i>L.J. Smith and C. Doldirina</i>	109
1.15 Toward a National Brazilian Center on Space Policy and Law Studies	
<i>A.F. Dos Santos and J. Monserrat-Filho</i>	119
1.16 A Survey of Colombia's New Outer Space Policy: Reforms in Colombian Law	
<i>J.A. Becerra Ortiz</i>	127

LEGAL ISSUES OF PRIVATE SPACEFLIGHT AND SPACE TOURISM

2.01 Responsibility and Liability: A Requirement to Change our Perceptions	
<i>A. Sinha</i>	135
2.02 OST, Liability Principles & Launch from International Domain: Resolving a New Twist in the Tail	
<i>A. Dubey and L. Sonchhatra</i>	144
2.05 Private Enterprise Liability for Space Servicing	
<i>A. Morato and I. M. Da Fonseca</i>	152
2.06 Orbital Space Ports: Their Operating Procedures and Legal Frame	
<i>A. Azcarraga and E. Gonzalez Ferreiro</i>	160

2.08	Air & Space Law Norms Governing Space Transportation	
	<i>P. Dempsey</i>	178
2.10	Passengers Should Not Fly at their Own Risk but at Some Risk	
	<i>L. Boureghda</i>	189
2.11	Duties and Liabilities of Space Tourist Operators	
	<i>Z.N. O'Brien</i>	194
2.12	Rescuing Space Tourists: A Humanitarian Duty and Business Need	
	<i>M. Sundahl</i>	204
2.13	Criminal and Disciplinary Issues Pertaining to Suborbital Space Tourism Flights	
	<i>M. Chatzipanagiotis</i>	215
2.14	The U.S. International Traffic in Arms Regulations and the Emerging Personal Spaceflight/Space Tourism Industry	
	<i>J. Ordway</i>	226
2.15	UNIDROIT System of Asset Based Financing for Space Activities - Need to Plug the Loopholes	
	<i>I. Bhat and S. Bhat</i>	238

**NEW LEGAL DEVELOPMENTS IN THE PROTECTION
OF THE SPACE ENVIRONMENT**

3.03	Rules Regarding Space Debris: Preventing a Tragedy of the Commons	
	<i>K. Gable</i>	257
3.04	Applicability of Space Debris Mitigation Guidelines	
	<i>L. Belviso</i>	267
3.06	State Responsibility and Need of International Legal Consensus for Debris-Free Environment	
	<i>S. Nandakumar Menon and V. Gopala Krishnan</i>	273
3.07	Common but Differentiated Responsibility - A Principle to Maintain Space Environment with Respect to Space Debris	
	<i>M.Y.S. Prasad and R. Lochan</i>	284
3.10	Removal of Non-Functional Space Objects without Prior Consent	
	<i>M. Mejia-Kaiser</i>	293
3.12	Is There any Legal Regime for the Protection of the Moon's Environment?	
	<i>M. Hofmann</i>	302
3.13	Towards a Provisional System for Private Property Rights on the Moon that both Encourages Commerce and Protects the Environment	
	<i>K. Comer</i>	310
3.15	Sustainable Space Development - Need for a Change in the Liability Regime	
	<i>S. Bhat</i>	319

**LEGAL ASPECTS OF SATELLITE APPLICATIONS:
NAVIGATION AND REMOTE SENSING**

4.02	Code of Conduct for Military Activities in Outer Space	
	<i>P. Larsen</i>	329

4.03	Satellite Navigation, the Best Tools, the Most Concern, in Developing Countries	
	<i>A.A. Golrounia</i>	333
4.04	Legal Aspects Relating to Satellite Navigation in Air Traffic Management with Specific Reference to GAGAN in India	
	<i>M. Mustaque</i>	336
4.05	Where is Paradise? The EU's Navigation System Galileo - Some Comments on Inherent Risks (or Paradise Lost)	
	<i>L.J. Smith</i>	346
4.06	Hosting Galileo Ground Stations - Liability and Responsibility Issues under Space Law	
	<i>F.G. Von Der Dunk</i>	358
4.08	The UN Principles on Remote Sensing and the GATS: Conflicts or Peaceful Co-Existence	
	<i>C. Feinaeugle</i>	369
4.09	Satellite Data Dissemination Policy and International Security	
	<i>M. Onoda and B. Rama</i>	379
4.10	Keeping Up with Remote Sensing and GI Advances - Policy and Legal Perspectives	
	<i>M. Rao and K.R. Sridhara Murthi</i>	390
4.11	Remote Sensing in an Era of Global Warming	
	<i>C.Q. Christol</i>	405
4.14	Germany Enacts Legislation on the Distribution of Remote Sensing Satellite Data	
	<i>M. Gerhard and B. Schmidt-Tedd</i>	411

**THE 40th ANNIVERSARY OF THE OUTER SPACE TREATY
AND OTHER LEGAL MATTERS**

5.01	The Outer Space Treaty: 1967-2007	
	<i>J. Galloway</i>	423
5.02	An Interpretation of the Outer Space Treaty After 40 Years	
	<i>J. Neumann</i>	431
5.04	Outer Space as the Province of Mankind - an Assessment of 40 Years of Development	
	<i>S. Hobe</i>	442
5.06	The ITU in the Modern World - Fourteen Years from the Reconstruction	
	<i>F. Lyall</i>	450
5.08	Ethics and the Conquest of Space: From Peenemunde to Mars and Beyond	
	<i>L. Tennen and P. Sterns</i>	456
5.09	Space Law and the Brave Blue World	
	<i>J. Monserrat Filho</i>	468
5.10	Is There a Need for a Comprehensive Convention on Outer Space Law?	
	<i>C. Jayarai</i>	477
5.11	The Multi-Door Courthouse: a Proposed Mechanism for Dispute Settlement in International Space Law	
	<i>G.M. Goh</i>	503
5.12	The Results of the UNCOPUOS Legal Subcommittee Working Group on "Practice of States and International Organizations in Registering Space Objects" 2005-2007	
	<i>K-U Schrogl and N. Hedman</i>	514

5.13	The Non-Appropriation Principle under Attack: Using Article II of the Outer Space Treaty in its Defence	
	<i>F. Tronchetti</i>	526
	<i>(Winner of the 2007 Isabella H.Ph. Diederiks-Verschoor Award for Best Paper by a Young Author)</i>	
5.14	Metalaw as a Foundation for Active SETI	
	<i>D. Vakoch</i>	537
5.15	Commercialization and Privatization of Space Industry in India: Legal Issues and Challenges	
	<i>V. Balakista Reddy</i>	542
5.16	Power, Politics and Private Property Rights in Outer Space	
	<i>E. Weeks</i>	549
5.18	Transfer of Technology in Space: Can the UN Convention on the Law of the Sea serve as a Trailblazer?	
	<i>A.A. Oprong</i>	559
5.19	Space Traffic Management for the Moon and the Development of Space Law	
	<i>A. Schoenmaker</i>	570
5.20	Issues in Space Cooperation	
	<i>S. Guorui</i>	580
5.21	Chinese Anti-Satellite Weapons: New Power Geometry - New Legal Policy?	
	<i>S.A. Kaiser</i>	591

SESSION REPORTS

Report of the IISL Space Law Colloquium in Hyderabad, India, October 2007	
<i>Contributed by Rapporteurs V. Gopala Krishnan, M. Mejia-Kaiser and R. Kaul</i>	
<i>Edited by T. Masson-Zwaan</i>	601
Report of the IISL Plenary Event “New Space Industry Actors in the Global Market Place,” Hyderabad, India	612

IISL-ECSL SPACE LAW SYMPOSIUM 2007 HELD ON THE OCCASION OF THE 46TH SESSION OF THE LEGAL SUBCOMMITTEE OF UNCOPUOS, VIENNA, AUSTRIA

Program of the Symposium	613
General Introduction To and Overview of Space Law Teaching and Education	
<i>G. Lafferranderie</i>	616
The State of the Art of Space Law Teaching and the Need for a Multidisciplinary Approach	
<i>A. Kerrest</i>	624
Networking and Federative Initiatives (ECSL, IISL Moot Court, etc.)	
<i>S. Marchisio</i>	632
The Needs of Teaching Institutions in Eastern Europe: Specific Features and Initiatives	
<i>N. Malysheva</i>	636
Networking and Federative Initiatives (ECSL practitioners forum, IISL regional conferences, ILA, etc.)	
<i>S. Hobe</i>	643

THE 2nd EILENE M. GALLOWAY SYMPOSIUM
ON CRITICAL ISSUES IN SPACE LAW
“INTERNATIONAL CIVIL SPACE COOPERATION:
OBSTACLES AND OPPORTUNITIES”
WASHINGTON D.C., DECEMBER 2007

Program of the Symposium	649
Opening Statement H.E. Judge Vereshchetin	650

CONFERENCE ON SPACE LAW AND SPACE APPLICATIONS FOR
DISASTER MANAGEMENT IN THE ASIA PACIFIC REGION
20-22 NOVEMBER 2007, CHIANG MAI, THAILAND

Report of the Conference	653
Opening Address	
<i>A. Urairat</i>	663
Keynote Address	
<i>S. Sucharitkul</i>	665
Vulnerability in Asia	
<i>O. Fall</i>	667
Space Treaties and Disaster Management	
<i>F. Tronchetti</i>	673
Disaster Management and the Tampere Convention	
<i>Y. Zhao</i>	686
The Contribution of the Global Earth Observation System of Systems to Disaster Management	
<i>F. Tronchetti and T. Masson-Zwaan</i>	697
Limited Right of Access to Remote Sensing Data for the Prevention and Mitigation of Disasters	
<i>P.B. Larsen</i>	705
The Evolving Role of the United Nations in the Law-Making Process In Regard to Disaster Management	
<i>S. Sucharitkul</i>	720
Regional Disaster Monitoring by Remote Sensing: A Law and Policy Perspective	
<i>M. Onoda</i>	725
Disaster Management Support System “Sentinel Asia”	
<i>P. Rakwatin</i>	732
The Principles of State Responsibility and Humanitarian Assistance in the Context of Disaster Management	
<i>R.M.R.B. Nawinne</i>	739
International Disaster Response Law, Rules and Principles (IDRL) Programme of the International Federation of Red Cross and Red Crescent Societies (IFRC)	
<i>I.B.R. Supancana</i>	748
The Humanitarian Charter and Minimum Standards in Disaster Response (Sphere)	
<i>T. Masson-Zwaan</i>	756

**16TH MANFRED LACHS SPACE LAW MOOT COURT COMPETITION 2007:
CASE CONCERNING THE SALE AND OPERATION OF CERTAIN
COMMERCIAL REMOTE SENSING SATELLITES
(GALATEA V. THALASSA: PROTEUS INTERVENING)**

Introduction	764
Problem	765
Winning Briefs	773

2007 ANNUAL REPORT

Standing Committee on the Status of International Agreements Relating to Activities in Outer Space	
<i>A.D. Terekhov</i>	<i>804</i>
IISL ELECTIONS	818
STATUTES OF THE INTERNATIONAL INSTITUTE OF SPACE LAW	820
AUTHOR INDEX	825