INTERNATIONAL INSTITUTE OF SPACE LAW

16TH MANFRED LACHS
SPACE LAW
MOOT COURT COMPETITION

WORLD FINALS 2007

Thursday, 27 September 2007
3-6 p.m.

NALSAR University of Law
Hyderabad, India

Http://www.spacemoot.org
The International Institute of Space Law (IISL) was founded by the International Astronautical Federation (IAF) in 1960. The IISL replaced the Permanent Committee on Space Law which the IAF had created in 1958 under the chairmanship of Andrew G. Haley.

Since 1958, the IISL has held Colloquia on space law in many nations, the Proceedings of which are published by the American Institute of Aeronautics and Astronautics. The Institute also publishes a bi-annual Newsletter. In 2007 the IISL will celebrate its 50th Colloquium.

The IISL has elected individual and institutional members from more than 40 countries, who are distinguished by their contributions to or proven interest in the field of space law or other social science aspects related to space activities.

The purposes and objectives of the Institute include the cooperation with appropriate international organizations and national institutions in the field of space law, the holding of meetings, colloquia and competitions on juridical and social science aspects of space activities, the preparation or commissioning of studies and reports and the publication of books and proceedings.

As the IAF is an officially recognized observer at sessions of the United Nations Committee on the Peaceful Uses of Outer Space and its Scientific & Technical and Legal Subcommittees, members of the IISL are entitled to be designated IAF observers to those sessions.

In cooperation with the European Centre for Space Law (ECSL), the IISL organizes an annual space law symposium for the delegates and
staff attending the annual session of the UN COPUOS Legal Subcommittee in Vienna, Austria. The programs deal with topical space law issues, and the papers presented are published in the IISL Proceedings.

Since 2001, the IISL holds regional conferences in addition to the annual Colloquia. The first of these was held in Singapore in 2001, the second in April 2004 in Beijing, China, the third in June 2005 in Bangalore, India, and the fourth in Bangkok, Thailand, in August 2005.

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THE COMPETITION

The Manfred Lachs Space Law Moot Court Competition is organized annually by the International Institute of Space Law (IISL) of the International Astronautical Federation (IAF). The first competition was organized for law students from northern America by the Association of US Members of the IISL (AUSMIIISL) during the first World Space Congress (WSC) held in Washington, D.C., U.S.A. in 1992. In 1993, the Competition was renamed after the late Judge Manfred Lachs, the previous President of the IISL, of the International Court of Justice and of the United Nations Committee on the Peaceful Uses of Outer Space (UNCOPUOS). In the same year, the Competition was also extended to include European students and in 2000, the Asia-Pacific Round was added. This year will be the 16th Competition.

Regional competitions are organized each year around April in Europe, North America and in the Asia-Pacific. The winning teams of the three regional rounds meet in the international final rounds, which are held in conjunction with the annual IISL Colloquium on the Law of Outer Space. The Final Round is traditionally judged by three Members of the International Court of Justice. This unique feature makes the Lachs Moot one of the most prestigious moot court competitions in the world.

The competition is in the form of a hypothetical dispute before the International Court of Justice. The Problem is always written by a Member of IISL, upon invitation by the Organizing Committee for the moot court competition, alternating between the 3 regions (North
America, Europe, Asia-Pacific). Official Rules of the Competition have been formulated by the IISL Board of Directors, and Regional Rounds have to comply with these, although deviations may be agreed for practical purposes. Participating teams are required to submit a formal written argument called a Brief for both the Applicant State and the Respondent State on the legal issues in the hypothetical case.

The teams compete in Preliminary Rounds at which they present Oral Arguments in the case before panels of three judges. During these rounds, each team of two speakers present their arguments. Briefs and Oral Arguments each carry a weight of 50% towards the total score of a team. At the end of the Preliminary Rounds, the three winners move on to the Final Rounds.

The costs of the airfares and accommodation for the teams are traditionally sponsored by the Association of US Members of the IISL (AUSMIISL) and NASA, the European Centre for Space Law (ECSL) and the Institute of Space and Astronautical Science (ISAS) Japan, respectively. Teams are allowed to revise their Briefs before they have to resubmit them for the Final Rounds. The team with the highest average score for its Applicant and Respondent Briefs moves on to the Final, while the two other Teams first meet in a Semi-Final.

The 16th Manfred Lachs Space Law Moot Court Competition will be held this year in Hyderabad, India. The Semi-Final is a closed session on 25 September at the Congress Center. The Final is a public event on Thursday 27 September, at the NALSAR University of Law.
PROGRAM
September 27, 2007

1.30 PM  Bus transportations from the Congress Centre to NALSAR

2:55 PM  All guests to be seated

3:00 PM  Start of the Finals

5:30 PM  Announcement of the winning team and remittance of awards

5:45 PM  High Tea

6:30 PM  Buses to leave from NALSAR for IISL Dinner* at Taj Deccan (Kohinoor Hall), Hyderabad

(*for invited guests only)
[For other participants, transportation will be available to major Congress hotels]

8:00 PM  Drinks and Dinner

11:00 PM  End of dinner (exact time may change)

11.10 PM  Bus transportation to major Congress hotels for dinner guests

[Bus transportation at HICC will also be available at 7.00 PM for guests directly coming to IISL Dinner]
SUMMARY OF THE PROBLEM
Case concerning International Liability

Emeralda v Mazonia

SkyQuest is a company established in the Lowlands and 65% of its share capital is held by companies in Mazonia. It developed a space vehicle called Skyhunter NSV, comprising the Skyhunter spaceplane and a launch rocket. The design, manufacture and operation of the vehicle involved contractors in a number of countries. In particular, Space Systems Corporation of Mazonia was responsible for the manufacture of the launch rocket and for the integration of the launch rocket with the spaceplane. The Government of Mazonia certified the Skyhunter NSV for human flight.

The first commercial flight of the Skyhunter NSV was mostly financed by two companies, one in Mazonia and the other in a neighbouring country. The flight involved a concert to be broadcasted from onboard Skyhunter NSV by Ian Brady, a Mazonian pop singer onboard. SkyQuest invited 100 people onboard the Condor, a chartered ship flying the flag of Emeralda, to observe the launch. Further, another Emeraldan ship, the Barracuda, ignored the governmental announcement to observe a 15nm exclusion zone from the launch site, which was itself a ship flying the flag of Philamena located at the time in international waters.

During the launch, a piece of insulating material fell off the spaceplane, causing significant damage to the Condor and the Barracuda and killing a sailor of Emeraldan nationality on the latter. Colonel Guy van den Bergh, the commander of Skyhunter NSV, countermanded the Flight Director and decided to abort the mission and return to the Earth. The spaceplane came down in the territorial waters of Emeralda. Both
Colonel Van den Bergh and Mr. Brady were held by Emeralda and were charged with crimes relating to the death of the sailor and for violations of the Emeraldian Maritime Code. Emeralda has also retained the wreckage of the spaceplane, despite repeated demands from Mazonia for the return of the spaceplane, Col. Van den Bergh and Mr. Brady.

Having failed to resolve their dispute by negotiation, the Parties have submitted their dispute by special agreement to the International Court of Justice.
PARTICIPANTS IN THE THREE REGIONAL ROUNDS

In North America:
1. George Washington University School of Law
2. University of Mississippi School of Law
3. University of Missouri—Columbia
4. St. Thomas University School of Law
5. Georgetown University Law Center
6. New York University
7. Cornell Law School
8. Institute of Air and Space Law, McGill University
9. University of North Carolina—Chapel Hill

In Europe:
1. George Washington University School of Law
2. Warsaw UniversityDepartment, Institute of International Relations, Poland
3. Catholic University of Leuven, Belgium
4. University of Lueneburg, Germany
5. Leiden University, The Netherlands
6. John Paul II Catholic University of Lublin, Poland

In the Asia Pacific:
1. University of Queensland, Brisbane
2. Amity Law School, India
3. Bangalore University Law College, India
4. Barkatullah University, India*
5. Beijing Institute of Technology, China*
6. Bharti Vidyapeeth University, India*
7. China University of Political Science and Law, China
8. City University of Hong Kong, Hong Kong*
9. Flinders University of South Australia, Australia
10. Government Law College, Mumbai, India
11. Gujarat National Law University, India
12. H P University School of Legal Studies, India*
13. Hidayatullah National Law University, India
14. I L S Law College, India
15. Keio University, Japan
16. M S Ramaiah College of Law
17. Murdoch University, Australia*
18. National Academy of Legal Studies and Research, India
19. National Law Institute University, Bhopal, India*
20. National Law School of India University, India
21. National Law University, Jodhpur, India
22. National University of Advanced Legal Studies, India*
23. National University of Juridical Sciences, India
24. National University of Singapore, Singapore
25. Padjadjaran University, Indonesia
26. Panjab University Institute of Legal Studies, India*
27. Parahyangan Catholic University, Indonesia
28. Seoul National University, Korea*
29. Tamil Nadu Dr Ambedkar Law University, India
30. Universitas Pelita Harapan, Indonesia*
31. University of Auckland, New Zealand
32. University of Kyoto, Japan
33. University of Lucknow, India*
34. University of New South Wales, Australia
35. University of Queensland, Australia
36. University of Technology, Sydney, Australia
37. University of Tokyo, Japan
38. Vivekananda Institute of Professional Studies, India*
39. Waseda University, Japan
ORGANIZERS AND CONTACT DETAILS

In North America:
Milton (Skip) Smith,
SSMITH@sah.com

In Europe:
Nawel Faye
Nawel.Faye@esa.int

In the Asia Pacific:
Ricky J. Lee,
asiapacific@spacemoot.org

THE WINNERS OF THE REGIONAL ROUNDS

From North America:
• George Washington University, Washington DC, USA
  David J. Western, Magin T. Puig-Monsen and Carlos F. Laboy
  Coach: Prof. Henry R. Hertzfeld

From Europe:
• University of Leiden, The Netherlands
  Jason Bonin, Scott Phillips, Lauren Payne
  Coach: Dr. Frans von der Dunk

From the Asia Pacific:
• University of Queensland, St. Lucia, Australia
  Rola Lin, Breanna Hamilton, Alexander Meaney
  Coach: Mr. Matthew Jones
JUDGES FOR WRITTEN BRIEFS

- **Mr. Ian Awford**, Ebsworth & Ebsworth, Sydney, Australia
- **Dr. Peter van Fenema**, Adj. Professor, McGill Institute of Air and Space Law, Montreal / Consultant, The Netherlands
- **Dr. Martha Mejia-Kaiser**, Independent researcher, Mexico
- **Ms. Marcia Smith**, Director, Space Studies Board, The National Academies, USA
- **Dr. Leslie Tennen**, Law Offices of Sterns and Tennen, Phoenix, AZ, USA
- **Dr. Yun Zhao**, City University, Hong Kong

JUDGES FOR SEMI FINALS

- **Prof. VS Mani**, Director, Gujarat National Law University, India
- **Prof. Elisabeth Back Impallomeni**, University of Padua, Italy
- **Prof. Jonathan Galloway**, Lake Forest College, USA

JUDGES FOR FINALS

- **H.E. Judge Abdul Koroma**, International Court of Justice
- **H.E. Judge Hisashi Owada**, International Court of Justice
- **H.E. Judge Peter Tomka**, International Court of Justice
AWARDS IN THE FINAL ROUNDS

Winning team:
★ Manfred Lachs Trophy on display at winning school until next competition
★ Permanent Commemorative Plaque
★ Certificates to team members

Runner-up:
★ Permanent Commemorative Plaque
★ Certificates to team members

2nd Runner-up:
★ Permanent Commemorative Plaque
★ Certificates to team members

Best Oralist:
★ Sterns and Tennen Award for Best Oralist: $250
★ Trophy Plate and Certificate

Best Written Brief:
★ Eilene M. Galloway Award for Best Written Brief: $400
★ Permanent Trophy Plate to School
★ Certificates to team members

All participants in the Finals:
★ Invitation to attend the IISL Dinner
★ Invitation to attend the IAF Gala Banquet
SPONSORS OF
THE WORLD FINALS 2007

NALSAR University of Law
Hyderabad
India
http://www.nalsarlawuniv.ac.in

And

Indian Space Research Organisation
Bangalore
India
http://www.isro.org

Organizations that supported the regional rounds and sponsored travel and accommodation of the winning teams

Association of US Members of the IISL, AUSMIISL

National Aeronautics and Space Administration, NASA
http://www.nasa.gov/

European Centre for Space Law, ECSL
http://edms.esrin.esa.it/ecsl

Japan Aerospace Exploration Agency (JAXA)
http://www.jaxa.jp/index_e.html
ADDRESSES

Congress Center
Hyderabad International Convention Centre (HICC)
Novatel & HICC Complex
Izzatnagar, Near HITEC City
P.O. Bag 1101, Cyberabad Post Office
Hyderabad - 500 081
Telephone: +91-40-6613 4322
Fax: +91-40-66134322
Website: http://www.hicc.com

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Dinner place
Taj Deccan
(Kohinoor Hall)
Road No.1, Banjara Hills
Hyderabad - 500 034
Telephone: +91-40-666 3932
Fax: +91-40-6666 1070
Website: www.tajhotels.com

TRANSPORTATION
ON SEPTEMBER 27, 2007

• **Departing from HICC**: 1.30 PM to NALSAR - Special buses will pick up delegates to transport them to NALSAR
• **Departing from NALSAR**: 6.30 PM to TAJ Deccan for **invited Guests** for IISL Dinner
• **Departing from NALSAR**: at 6.30 PM to major Congress Hotels, for **other participants**
• **Departing from HICC**: at 7.00 PM to Taj Deccan for invited Guests for IISL Dinner
• **Departing from TAJ Deccan**: at 11.00 PM to Major Congress hotels
Hyderabad Map
(Map showing relative NALSAR, HICC & Taj Deccan)
Place Hyderabad map Printed in 2nd announcement in this page
FOR FURTHER READING …

- International Astronautical Congress: www.iac2007.org
- International Institute of Space Law: www.iafastro-iisl.com
- IISL Moot Court: www.spacemoot.org
- International Astronautical Federation: www.iafastro.com
- UN Office for Outer Space Affairs; www.oosa.unvienna.org
- International Court of Justice: www.icj-cij.org
- NALSAR University of Law: www.nalsarlawuniv.ac.in
- Indian Space Research Organization: www.isro.org