Annual Report of the Board of Directors
September 2013

1. Introduction

This report covers the period between the 55th IISL Colloquium in Naples, Italy in 2012 and the 56th Colloquium in Beijing, China in 2013.

Founded in 1960, the International Institute of Space Law (IISL) is an independent non-governmental organisation dedicated to fostering the development of space law. The membership of the Institute is composed of individuals and institutions from more than forty countries elected on the basis of their contributions to the field of space law or other social sciences related to space activities. In addition, since 2013, prospective membership is open to students and young professionals with a demonstrated interest in space law.

The IISL 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. 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 sessions of the UNCOPUOS Legal Subcommittee. In addition the Institute organises a variety of conferences on space law throughout the year in locations all over the world. It publishes an annual volume of IISL Proceedings with papers and reports of all these activities during the year.

As one of its main activities, the IISL holds an annual Colloquium at the International Astronautical Congress (IAC). During these Colloquia, the IISL strives to address topics that are of interest to all space actors and invites all IAC attendees to attend and participate in its sessions. During the IAC, the IISL also co-organises annual Scientific-Legal Roundtables with the International Academy of Astronautics (IAA). Furthermore, the IISL co-organises a session each year with the IAF.

2. Manfred Lachs Space Law Moot Court Competition

Since 1992, the IISL organizes the annual Manfred Lachs Space Law Moot Court Competition. The competition is based on a hypothetical space law case, written by IISL members, in which around sixty student teams from universities in Africa, the Asia
Pacific, Europe and North America, participate. The competition is an important part of the organisation’s outreach programme, and its principal mechanism for engaging future generations of space law experts. The regional champions compete in the World Finals, which take place at the IAC and are judged each year by judges of the International Court of Justice. This unique feature makes the Manfred Lachs Moot Court one of the most prestigious moot court competitions in the world. The IISL Moot Court Committee is co-chaired by Martha Mejía-Kaiser and Les Tennen.

The winner of the World Finals of the 21st Manfred Lachs Space Law Moot Court Competition held in Naples was the National Law School of India University. The runner up was the team of the National & Kapodistrian University of Athens. The University of California, USA and Obafemi Awolowo University, Nigeria were Semi-Finalists. It was the first time an African regional round had been held. Three Judges of the International Court of Justice in The Hague judged the World Finals. The 2012 competition addressed the “Case concerning On-orbit Collision, Non-cooperative Satellite Removal, and Damages”, written by James Rendleman.

The 22nd Manfred Lachs Space Law Moot Court competition takes place during the Beijing IISL colloquium. The 2013 Problem is entitled the “Case concerning the Operation of a Lunar Station” (Lydios v. Endymion). This case raises issues concerning the establishment and use of a lunar facility, unilateral imposition of national environmental laws to protect the Moon, refusal to allow the docking at the lunar facility by a manned spacecraft, and liability for the failure in the deployment of scientific space probes.

Regional rounds took place for Africa in Nairobi (4 teams), for Europe in Rome (13 teams), for North America in Washington DC (17 teams) and for the Asia Pacific in Tokyo (24 teams). These were managed by the Regional Organisers: Lulu Makapela for Africa, ECSL for Europe, Setsuko Aoki and Gopalakrishnan for the Asia Pacific and Skip Smith for North America. In addition, national funding rounds were held in Beijing and in Bangalore, each with 14 teams competing. The winners of the four regions will compete in Beijing. Three Judges of the International Court of Justice will judge the Finals.

The names of all participating universities, as well as the Judges of the written briefs, of the semi finals and of the finals are listed in the Moot Court Brochure that will be available on the IISL website.

The IISL is grateful to all sponsors of the regional rounds and the World Finals, and to the tireless efforts and hard work of the IISL moot court committee.

The 23rd competition will be held in 2014 in Toronto. The case has been published on the dedicated website in August 2013.

3. **Conferences**

The 55th IISL Colloquium was held in Naples, Italy in 2012. Five sessions were held, as well as the IISL/IAA Scientific Legal Roundtable on “Optical Communication”, a joint
IISL/IAF Session and an IISL organized Plenary Event, “Towards a Code of Conduct, which makes the use of space safe and equitable”. The Jasentuliya Keynote lecture was delivered by Sergio Marchisio, on the Draft Code of Conduct for Space Activities. An ESA-IISL event, “ESA for Space Lawyers”, was held at the invitation of ESA’s Legal Counsel Marco Ferrazzani.


On 8 April 2013, during the 52nd session of the Legal Sub-Committee of the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS), the Institute along with ECSL organized a symposium for delegates of the Legal Subcommittee on the topic “The UNIDROIT Space Protocol”.

The 56th IISL Colloquium is held from 23-27 September 2013 in Beijing, China, in conjunction with the 63rd IAC. The IISL will hold 5 sessions, managed by the Colloquium Coordinators Lesley-Jane Smith and Mahulena Hofmann. Tare Brisibe, Chairman of the Legal Subcommittee of UNCOPUOS, will deliver the Nandasiri Jasentuliya Keynote Lecture on Tuesday 24 September in the morning, followed by the 5th Young Scholars Session. In addition, session will address: Settlement of Space-Related Disputes; International Regulations of Space Communications: Current Issues; Legal Aspects of Space Debris Remediation; and Recent Developments in Space Law. The 28th Scientific/Legal Roundtable will be held in Beijing on “Space and the Polar Regions - Issues of Satellite Applications, Policies and Regulations”. The Scientific/Legal Liaison Committee is chaired by Kai Uwe Schrogl. Lastly, another joint session with IAF will be held, addressing the Legal Framework for Cooperative Space Endeavours.

4. United Nations

Under the guidance of the IISL Directorate of Studies, chaired by Stephan Hobe, and with input from IISL Board Members, the IISL submitted several statements to the UNCOPUOS this year. One statement submitted to the Legal Subcommittee addresses suborbital flights and the definition and delimitation of outer space, while another concerns space debris, safety of space objects with nuclear power sources on board and problems of their collision with space debris. Furthermore the Institute is supporting the work of Expert Group D on Long-Term Sustainability for Outer Space Working Group of UNCOPUOS Scientific and technical Subcommittee.

5. Publications

The 2012 IISL Proceedings (more than 900 pages) were edited by Corinne Jorgenson with help of Rafael Moro-Aguilar and published by Eleven International Publishing in September 2013. This volume contains the proceedings of the 56th IISL Colloquium, the 2012 IISL-ECSL Space Law Symposium held on the occasion of the 51st session of the Legal Subcommittee of the UN Committee on the Peaceful Uses of Outer Space, and of
the 7th Eilene M. Galloway Symposium on Critical Issues In Space Law, held in Washington D.C., United States in December 2012. It also contains the report and best written memorials of the World Finals of the 21st Manfred Lachs Space Law Moot Court Competition.

The book ‘Some Pioneers of Space Law’, initiated by the IISL Directorate of Studies and edited by its Chairman Stephan Hobe, is published by Brill/Nijhoff in 2013. This book is a tribute to the memory of eminent scholars who made an original contribution to the science of space law, and who are no longer among us.

The proceedings of the conference “The role of law in an Asian space age: institutions and applications” organised by IISL with the Indonesian Society of International Law (ISIL) in 2011, were edited by the organizer Jason Bonin and are now published as an e-publication on the IISL Website.

Two Newsletters were published, in September and in February. In addition, several email updates were sent to the members.

6. Public Relations and Social Media

Frans von der Dunk chairs the new Committee on Public Relations Including Social Media. Throughout the year, several press releases were sent out to a substantive group of news agencies, institutions, companies and organisations, on issues such as elections results, moot court results, adoption of the new statutes, and so on. Various news items and photos of events were shared and exchanges took place on the social media Facebook, Twitter and Linkedin. The former two each have around 1000 fans/followers, whereas the latter, accessible only for members, has around 100. The Lachs moot has its own Facebook page with some 800 fans, and just opened a twitter account as well.

7. Statutes and Bylaws amendments

At its Naples meeting, the IISL General Assembly approved major changes to the Statutes and Bylaws of the Institute. The new statutes are in force since March 14th, 2013.

Apart from general streamlining and increasing transparency, the main changes concern:

- Elections: the Nominating Committee for the Board is now elected by the General Assembly, not the Board, and is called the Election Committee. All members vote on all candidates by electronic means/mail before the General Assembly.

- Membership: a new category of Prospective Members is established, to allow students and young professionals to join the Institute. These members do not pay dues and do not have a right to vote.
8. Elections Board of Directors

At its General Assembly meeting in Naples, in 2012, a number of positions on the Board of Directors was open for (re-) election. Kai-Uwe Schrogli (Germany) was elected as a new Vice President of the Institute. Setsuko Aoki (Japan), Tare Brisibe (Nigeria), Les Tennen (USA), Lesley Jane Smith (Germany) and Milton “Skip” Smith (USA) were elected as new Board Members, whilst Elisabeth Back Impallomeni, Joanne Gabrynowicz, Maureen Williams and Haifeng Zhao were re-elected to the Board. Jonathan Galloway, Toshio Kosuge and Sylvia Ospina were elected as Honorary Directors.

The term of the following directors expired in 2013: Tanja Masson-Zwaan (Netherlands, President); Corinne Jorgenson (USA, Executive Secretary), Steven Freeland (Australia), Sergio Marchisio (Italy) and Francis Lyall (UK). Prof. Lyall decided not to stand for re-election. In addition, Ram Jakhu (Canada) decided to step down in March 2013, leaving a vacancy on the Board.

The Election Committee, composed of Elina Morozova, Marcia Smith and Christian Bruenner managed the first elections of the IISL under its new statutes. The results were as follows: Tanja Masson-Zwaan was re-elected as President; Corinne Jorgenson was re-elected as Executive Secretary, Steven Freeland and Sergio Marchisio were re-elected as directors, and Olavo Bittencourt (Brazil) and Yasuaki Hashimoto (Japan) were elected as new directors. About 30% of all members in good standing expressed their vote electronically or by mail.

9. Elections New Members

In October 2012 and March 2013, 21 new IISL members were elected, after screening by the Membership Committee chaired by Ranjana Kaul:

- Mr. Tony Azzarelli (Italy)
- Mr. Jairo Becerra Ortiz (Colombia/Spain)
- Mr. Eric Dawson (USA)
- Ms. Cécile Gaubert (France)
- Mr. David Finkleman (USA)
- Mr. Giorgi Kyriakopoulos Giorgi (Greece)
- Ms. Lorinda Laryea (USA)
- Ms. Rita Lauria (USA)
- Mr. Anthony Long Esq. (USA)
- Dr. Hervé Moulin (France)
- Mr. Sergiy Negoda (Ukraine)
- Ms. Neta Palkovitz (Israel)
- Ms. Jana Robinson (Czech Rep.)
- Ms. Ana Cristina Rosa van Oijhuizen Galhego (Brazil)
- Ms. Carla Sharpe (South Africa)
- Mr. Michael Simpson (USA)
• Ms. Olga Stelmakh (Ukraine)
• Mr. Peter Stubbe Peter (Germany)
• Dr. Jinyuan Su (China)
• Ms. Anna Veneziano (Italy)
• Mr. Guoyu Wang (China)

In September 2013 the Board will again decide on new member applications, including the first Prospective members of IISL.

10. Awards

Every year, at its Annual Awards Dinner held during the IISL Colloquium, the Institute gives several awards and certificates to people who have shown outstanding achievement in the field of space law. KRS Murthi chairs the Awards Committee.

During the 2012 Annual IISL Dinner, a Distinguished Service Award was granted to Ms. Corinne Jorgenson, in recognition of her years of outstanding and dedicated service to the Institute, inter alia as editor of the Proceedings for over ten years, and as member of the Board and Executive Secretary.

The 2012 Dr. I.H.Ph. Diederiks-Verschoor Award for the best paper by a young author at the IISL Colloquium was awarded to Dr. Olavo Bittencourt Neto. (Brazil) for his paper on ‘The Elusive Frontier: Revisiting the Delimitation of Outer Space’. The award will be given again in 2013, after screening of the papers by the Diederiks-Verschoor Evaluation Committee chaired by Elisabeth Back Impallomeni.

In 2013, Dr. Marietta Benkö (University of Cologne) will receive a Lifetime Achievement Award; Dr. Martha Mejia-Kaiser (Co-Chair, IISL Moot Court Committee) will receive a Distinguished Service Award, and Mr. Philippe Clerc (CNES) will receive an Award of Appreciation. The Awards will be presented during the 2013 IISL Awards Dinner.

The IISL created a Young Scholars Fund thanks to a generous donation, and its Administrating committee, chaired by Steven Freeland, awarded the first prizes to participants in the four regional rounds of the Moot Court this year. In addition, badges with the moot court logo were produced in India and offered to all students who participated. Several members donated to the Fund.

11. Strategic outlook

Throughout 2012, the strong involvement and interest of students and young professionals has further amplified, and the number of IISL activities worldwide and beyond the traditional Colloquium at the IAC has expanded. The impact and reputation of the Manfred Lachs Moot Court Competition are immense, and make this one of the most important responsibilities of the Institute.
In 2010-2011, the Board conducted its first ever strategy meetings, and in 2012 their results were revisited. Five main areas of attention had been identified, and the following brief update provides the backbone of our strategy and policy for the coming period.

a) Relevance of the IISL

The IISL must play an active role and show leadership in the development of space law in all its aspects. The Institute has a unique position and can be a major player to solve the legal problems that will confront mankind in the further exploration and use of outer space.

In this respect, the IISL’s contribution to the work of UNCOPUOS has increased significantly. Board members have participated in UN space law capacity building workshops, the IISL has submitted contributions to several Working Groups, including Expert Group D on Regulatory Regimes and Guidance for Actors in the Space Arena of the Working Group on the Long-Term Sustainability of Outer Space Activities of the Scientific and Technical Subcommittee, and our annual Symposia are highly relevant to and appreciated by the Committee. In addition, work on an IISL brochure is in progress and Board Members’ biographies are available on the IISL website, so that the IISL is more visible during such events.

b) Membership

The membership continues to grow, and it is important to have a constant dialogue with the members to involve them in the work of the Institute.

To realise this, an extensive online survey was carried out a few years ago; this was the first ever consultation of IISL members. Many of the replies and suggestions were taken up in the recent revisions of the statutes and bylaws. Similar surveys may be conducted in the future.

c) Financial

In order to keep growing, the Institute must generate some financial return through its activities, including symposia and colloquia. Fundraising and sponsorship opportunities must be expanded.

During the past year, there has been a major revision of the Institute’s finances and payment processes, and the Treasurer Dennis Burnett introduced a new accounting system. The membership list has been cleaned up and incorporated into this new accounting system.

d) Proceedings

A Publications Committee was created, chaired by Joanne Gabrynowicz and a new publishing contract was concluded for the IISL Proceedings. The IISL now retains the copyright of the book. The 2011 IISL Proceedings was the first volume published by
Eleven International Publishing and the volume continues to be improved, with this year for the first time ever a uniform layout of papers.

The next step will be to publish all IISL Proceedings of more than three years old online through Heinonline, so that researchers all over the world, especially the hundreds of Manfred Lachs space law moot court competition participants from more than fifty universities worldwide will have easy access to this invaluable source of space law literature.

e) IISL Visibility at the IAC

The IISL contributes about 7% to the technical program of the IAC and the International Academy of Astronautics (IAA) 33%. Both organizations together thus represent approximately 40% of the IAC Congress.

In this context, the Institute and its members must take leverage of this significant level of contribution, and aim at increasing the IISL recognition and visibility. The Institute does not receive a financial compensation for its contribution, nor does it benefit from any IAC funding for its events, for which increasingly independent fundraising is required. At the same time, the IISL brings in a non-negligent part of the registered participants and bears a considerable part of the program preparation workload, covering the IISL Colloquium, the joint sessions with IAA and IAF, Plenary Events and the Moot Court World Semi-Finals and Finals.

The visibility of the Institute at the IAC must be reinforced and efforts must be undertaken to ensure that the IISL is properly represented in all IAC marketing materials, and correctly presented and perceived as an independent organization and full partner of the IAC, alongside the IAF and the IAA. Some form of financial compensation to support IISL activities that are an integral part of the IAC and contribute to its success may have to be envisaged in the future.

12. Planned activities for 2013-2014

Below follows a brief overview of activities for the coming year.

In December 2013, the Institute is planning to hold the 8th Eilene Galloway symposium on Critical Issues in Space Law in Washington DC.

In March 2014, the IISL/ECSL symposium will be held during the session of the Legal Subcommittee of UNCOPUOS. The Institute will also continue to provide input to the UNCOPUOS, at its request, and is preparing several submissions in that context under the guidance of the Directorate of Studies.

In the Spring, the 3rd IISL/IAA Space Law and Policy symposium is being planned, probably to take place in India as a follow-up to the highly successful joint event organised in Bangalore in 2005.
The Institute will also plan to contribute to the Global Space Applications Conference organised by the IAF and UNESCO in Paris on 2-4 June 2014, by organizing the legal sessions.

The preparations for the 57th IISL Colloquium to be held in Toronto from 29 September – 3 October 2014 are well underway. The 6th Nandasiri Jasentuliyan Keynote lecture and young scholar session will again be held, and the other sessions will address the following subjects: Future legal regimes for long-term presence in space; The ISS IGA: Lessons learned and looking to the future; Legal Issues associated with private human flight, including space and ground facilities, traffic management and spaceports; and Recent Developments in Space Law. The topic for the Scientific Legal roundtable is ‘Controlling the Eyes in the Sky: Preventing Abuse of Space Data’, and another joint session with the IAF is also planned. The IISL will again seek to contribute to the UN/IAF Workshop by providing speakers on legal topics of relevance for the workshop participants.

The 23rd Manfred Lachs Space Law Moot Court Competition is being prepared, and the case for 2014 has been released on the dedicated website. Teams can register until January 2014 for the regional rounds that will be held in Africa, Asia Pacific, Europe and North America.

Work on the 2013 IISL Proceedings will start after the Beijing IAC, and other publications may be considered. Under the guidance of the Publications Committee, improvements will be made out to the publications page on the IISL website, to give better visibility to the many valuable materials published there. Bi-annual Newsletters will be published and regular updates will be communicated to the members via email. The Committee on Public Relations Including Social Media will prepare press releases as needed, and will further enhance the Institute’s presence and activity on the social media.

13. More information

Please visit our websites: http://www.iislweb.org for general information, and http://www.iislweb.org/lachsmoot for information about the Manfred Lachs space law moot court competition. Our social media details are as follows:

- IISL on twitter: https://twitter.com/iisl_space
- IISL on Facebook: https://www.facebook.com/spacelaw
- IISL on LinkedIn: http://www.linkedin.com/groups?gid=124057&trk=myg_ugrp_o vr
- Lachs Moot on Facebook: https://www.facebook.com/spacemoot
- Lachs Moot on twitter https://twitter.com/SpaceLawMoot

September 2013