Cross-sectorial perspectives for capacity-building in space law and policy

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10th United Nations Workshop on Space Law
Vienna, Austria, 5th to 8th September, 2016
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Capacity Building

to assess... “relevant needs for capacity-building, assistance and outreach in space law and policy.”
Evolving Space Law

- International law / National Law
- Public Law / Private Law
Practitioners and Players

- Academics (Trainers and Students)
- Legislative / Executive organs
- Legal Practitioners and Bar Associations
- Industry
- National Space Agencies
- Judicial Institutions
- Ministries of Foreign Affairs
Executive Organs (I)

Laws of the Federation of Nigeria applicable to Earth Observation

- National Space Research & Development Agency Act
- Niger-Delta Development Commission (Establishment, etc) Act- Vol. 11 N86
- Federal Capital Territory Act- Vol. 6 F6
- National Boundaries Commission Act- N10
- National Committee on Geographical Names Act- N24
- Oil Pipelines Act- Vol. 13 O7
- Petroleum Act- Vol. 13 P10
- Federal School of Surveying Act- Vol 7 F21
- Surveyors Registration Council of Nigeria Act- Vol. 14 S1
- Quantity Surveyors (Registration, etc) Act- Vol. 14 Q1
- Estate Surveyors and Valuers (Registration, etc) Act- Vol. 6 E13
- Civil Aviation Act- Vol. 2 C13
- Civil Aviation Authority (Establishment, etc) Act- Vol. 11 N94
- Nigerian Airspace Management Agency Act- Vol. 11 N90
Executive Organs (II)

National Legislation (Main South African Intellectual Property Laws)

- Performers’ Protection Amendment Act 2002 (2002)
- Performers' Protection Act 1967 (Act No. 11 of 1967) (1967)
- 'Stem Van Suid-Afrika' Copyright Act 1959 (1959)
Industry

Contracting in **Public - Private Partnerships** could include:

(i) contracts between parties holding equity in the project company;
(ii) loan and related agreements;
(iii) contracts between the project company and contractors;
(iv) contracts between the project company and the parties who operate and maintain the project facility; and
(v) contracts between the concessionaire and private companies for the supply of goods and services needed for the operation and maintenance of the facility.

Could be governed by either **administrative law** or **contract law** as supplemented by special provisions developed in government contracts for the provision of public services.
Judicial Institutions

  - United Kingdom High Court dismissed an application to challenge an earlier arbitral award for lack of substantive jurisdiction under Section 67 of the 1996 U.K. Arbitration Act.

- Antrix Corp. Ltd vs. Devas Multimedia [2013] (2) ARBLR 226 (SC)
  - Supreme Court of India decides on issues concerning invocation of proceedings and appointment of an arbitrator based on the agreement between the parties providing a choice between UNICTRAL or ICC procedures.
Ministries of Foreign Affairs (I)

on space weapons...

- **International Space Law**
  - The common interest of humanity in furthering the peaceful use of outer space

- **Law of Weaponry**
  - Protect humanitarian values
### Ministries of Foreign Affairs (II)

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Concluding Remarks

- Differing academic and legal traditions, distinct cultural, economic and industrial features
- Considerations of International Law / National Law alongside Public / Private Law
- Overspecialisation