Information on the activities of international organizations relating to space law

International Institute of Space Law

Note by the Secretariat

In accordance with the agreement reached by the Committee on the Peaceful Uses of Outer Space at its forty-eight session (A/60/20, para.197), the Secretariat invited international organizations to submit reports on their activities relating to space law for the information of the Subcommittee.

The present document contains information on the activities of the International Institute of Space Law (IISL) carried out in 2005 and planned for 2006.
International Institute of Space Law

1. Introduction

The International Institute of Space Law (IISL) was founded by the International Astronautical Federation (IAF) in 1960, with the purpose of carrying out activities for fostering the development of space law and studies of legal and social science aspects of the exploration and use of outer space. The IISL presently has individual and institutional elected members from over 40 countries, who are distinguished for their contributions to space law development. As the IAF is an officially recognised observer at sessions of the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS) and its Scientific & Technical and Legal Subcommittees, members of the IISL are entitled to be designated as IAF observers to those sessions.

2. In memoriam

The IISL Board is sad to announce that its Honorary Director, eminent space law teacher and long-time friend Dr. He Qizhi from China passed away in June 2005. He will be greatly missed by all.

3. Recent activities

1. The 48th Colloquium on the Law of Outer Space

The 48th IISL Colloquium was held from 17 to 21 October 2005 in Fukuoka, Japan. 56 papers had been accepted for 5 sessions. The colloquium was well-attended and discussion was good. The sessions addressed the following topics: (1) Legal issues related to new developments in space applications: navigation, remote sensing and GIS; (2) Legal Aspects of Expanding Human Presence Beyond Low Earth Orbit; (3) Other legal matters 1, including legal aspects of sub-orbital flights; (4) Other legal matters 2, including legal aspects of property rights on the Moon; and (5) Convergence and privatization in telecommunications: institutional and other responses. In addition, a Scientific/Legal Roundtable was held on Space Traffic Management, and IISL also organised a Plenary Session on “Commercial Space Business and the Global Earth Observation System of Systems (GEOSS)”.

2. The 14th Manfred Lachs Space Law Moot Court Competition

The 14th Manfred Lachs Space Law Moot Court Competition was held during the Fukuoka IISL Colloquium. The Case Concerning International Liability (Deltastan v. Gammaland) was written by Mr. Dennis Burnett. Preliminaries were held at the regional level in Europe (8 teams), North America (8 teams) and in the Asia Pacific region (29 teams).

The finals were judged by three Judges of the International Court of Justice, H.E. Judge Hisashi Owada, H.E. Judge Abdul Koroma and H.E. Judge Vladlen Vereshchetin. The winner of the Final Round was George Washington University of Washington DC,
USA. The National University of Singapore was the runner-up and the University of Cambridge, UK, was the second runner-up.

The Eilene M. Galloway Award for Best Written Brief was won by the National University of Singapore, while the Sterns and Tennen Award for Best Oralist was won by Ms. Joan Lim (Singapore).

JAXA, SOLAPSU and Seinan Gakuin University, along with various other Japanese sponsors, as well as the Association of US Members of the IISL, NASA, ESA/ECSL and JAXA kindly sponsored the 2005 World Finals and IISL Dinner.

3. The IISL and ECSL Symposium for the Legal Subcommittee of COPUOS

IISL and ECSL has again organized a Symposium for the Legal Subcommittee of COPUOS on 3 April 2006 on Legal Aspects of Disaster Management and the Contribution of the Law of Outer Space. Ambassador Jankowitsch will chair the meeting.

4. Awards

A Distinguished Service Award was presented to Mr. Ricky Lee, the Asia Pacific Regional Organiser of the Moot Court Competition. The Dr. I.H.Ph. Diederiks-Verschoor Award was given to Ms. Zeldine O’Brien from the University of Dublin, Ireland, for her paper “Consumer protection and the limitation of liability in the national regulation of the space industry”. This Award honours the best paper presented at an IISL Colloquium by an author not older than 40 years and who has not published more than five papers in the Proceedings of IISL Colloquia. The Award consists of a medal and a money prize of 500 Euros.

5. Publications

a. The Proceedings of the 47th Colloquium of the Law of Outer Space (Vancouver) have been published by the American Institute of Aeronautics and Astronautics.

b. Report of the Standing Committee on the Status of International Agreements Relating to Activities in Outer Space has, as usual, been prepared by Dr. Terekhov and printed in the IISL Proceedings.

c. The Proceedings of the Bangalore Space Law Conference held in June 2005 will be published shortly by the Indian Space Research Organisation (ISRO).

4. Future activities

1. Montreal Workshop on Policy and Law Relating to Outer Space Resources

The McGill Institute of Air and Space Law, in association with the IISL, the Cologne Institute of Air and Space Law and the Leiden International Institute of Air and Space Law, will organize this meeting on June 28-29, 2006 in Montreal, Canada.

2. The Fourth Regional Space Law Conference in Bangkok, Thailand

The Ministry of Information and Communication Technology of Thailand has agreed to host the next regional conference in Bangkok, Thailand, from 1 to 4 August 2006. IISL
will cooperate with the Space Law & Policy Centre of Chulalongkorn University in Bangkok, Thailand. This conference is the fourth in a series of regional space law conferences initiated in 2001 with the aim of bringing space law and policy specialists together in a specific region to discuss topics of particular interest to that region, thus allowing interested parties from various backgrounds to meet and interact with experts from all over the world and promoting mutual understanding and cooperation for the benefit of all parties.

The topics to be addressed during the Conference are:

- Reforming the Regulatory Regimes governing Telecommunications in Asia
- National space legislation: developments in Asia
- Asia’s Role in Remote Sensing and Legal Aspects of Access to High-Resolution Satellite Imagery
- Legal aspects of Disaster Management: initial results and suggestions for improvement of the International Charter on Space and Major Disasters
- Regional Cooperation in Asia relating to Space Activities
- Panel session on legal issues arising from space exploration and exploitation

3. The 49th IISL Colloquium on the Law of Outer Space

The 49th IISL Colloquium on the Law of Outer Space will be held from 2 to 6 October 2006 in Valencia, Spain. The Colloquium will have the following session-topics:

a. 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.

b. 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?

c. 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.

d. 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.

e. 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 the development of national licensing regimes, attendant liability issues and registration.

A Scientific/Legal Roundtable will be held in Valencia on “Nuclear Power Systems in space – the new reality”. This Roundtable will take up current trends and bring together highlights of the issue, which has recently been discussed in IAA as well as IISL sessions. There will be five to six invited papers. We will also propose a Plenary Session on the topic “Enabling the Frontier: Regulatory Challenges to the Utilization of Space”.

The 50th IISL Colloquium of the Law of Outer Space will be held in India, from 24-28 September 2007.

4. The 15th Manfred Lachs Space Law Moot Court Competition, 2006

The world finals of the 15th Manfred Lachs Space Law Moot Court Competition will be held during the 2006 Colloquium in Valencia. The Case concerning the sale and operation of certain Commercial remote sensing satellites (Galatea v Thalassa: Proteus Intervening) was written by Mr. Ricky Lee. Three Judges of the International Court of Justice will be invited to judge the Finals. Regional rounds will again be held in Europe, North America and the Asia Pacific, details about each round and the case are on www.spacemoot.org

5. Publications

- The Proceedings of the 48th Colloquium of the Law of Outer Space (Fukuoka) will be published by the American Institute of Aeronautics and Astronautics.
- The IISL will continue to prepare material for the United Nations annual review of developments in international cooperation and space law “Highlights in Space” under contract with the United Nations.
- The IISL will continue to submit an annual report of the IISL Activities for the COPUOS.
- The IISL Website (http://www.iafastro-iisl.com) is being regularly updated
- The Institute is in the process of finalizing, jointly with OOSA, an update of its bibliography of IISL Proceedings, covering 1996-2005.