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Information on the activities of international organizations relating to space law

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Note by the Secretariat

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* A/AC.105/C.2/L.260.



I. Introduction

In accordance with the agreement reached at the forty-fourth session of the Legal Subcommittee (A/AC.105/850, para. 39) and endorsed by the Committee on the Peaceful Uses of Outer Space at its forty-eighth session,¹ 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 a compilation of the reports received by 3 February 2006.

II. Replies received from international organizations*

Regional Centre for Remote Sensing of the North African States

[Original: French]

Report on the International Conference on Natural Disasters and the Role of Satellite Remote Sensing: Economic and Legal Considerations, held in Tunis from 26 to 28 April 2005, and the Tunis II Declaration, adopted on 28 April 2005

1. The Regional Centre for Remote Sensing of the North African States (CRTEAN), with the assistance of the European Centre for Space Law (ECSL), held a Conference in Tunis from 26 to 28 April 2005 on the subject of "Natural Disasters and the Role of Satellite Remote Sensing: Economic and Legal Considerations". That Conference was a follow-up to the Conference on Satellite Remote Sensing in the Aid of Development: Legal Considerations, held on 27 September 2002, and the resulting declaration on promoting Earth observation to meet the needs of the North African countries, which was adopted by the CRTEAN Board and subsequently forwarded to the Committee on the Peaceful Uses of Outer Space.

2. The delegations of the CRTEAN member States participating in the Conference discussed the Tunis II Declaration on 27 and 28 April 2005, with a view to continued pursuit of the objectives set out in the 27 September 2002 Declaration, and recommended the following text to the CRTEAN Board for adoption:

"Recalling the base Declaration of 27 September 2002, its objectives and workplan;

"Whereas that Declaration relates to the regional and subregional initiatives taken on the basis of the International Strategy for Disaster Reduction, as set out in the relevant resolutions adopted by the United Nations General Assembly;

¹ *Official Records of the General Assembly, Sixtieth Session, Supplement No. 20* and corrigendum (A/60/20 and Corr.1), para. 196.

* The submissions are reproduced in the form in which they were received.

“*Stressing* the efforts of the Office for Outer Space Affairs of the United Nations in developing skills in areas relating to space activities;

“*Having regard* to the various international conventions of major interest to sustainable development and environmental protection;

“*Recalling* the global summits on environmental protection and on sustainable development, which have stressed the role of satellite observation combined with ground-based observation;

“*Noting* the 2005-2014 action plan adopted at the Third Earth Observation Summit, held in Brussels on 16 February 2005, on the implementation of a Global Earth Observation System of Systems (GEOSS);

“*Having regard* to the results of the work completed in the context of UNISPACE III + 5 and the resolutions of the United Nations General Assembly (resolution 59/2 of 20 October 2004 and resolution 59/116 of 10 December 2004);

“*Pleased* that the Libyan Arab Jamahiriya has become a member of the Committee on the Peaceful Uses of Outer Space, that CRTEAN is monitoring the proceedings of the Committee as a permanent observer and that Tunisia has attended Scientific and Technical Subcommittee meetings as an observer;

“*Noting* the report of the Director General of CRTEAN and the reports on activities presented by the member States;

“*Recalling* with distress that the CRTEAN member States are exposed to natural disasters such as earthquakes, flooding, forest fires, desertification, drought and locust attacks and that such disasters are common to the region of North Africa;

“*Welcoming* with interest the participation of Algeria in the Disaster Monitoring Constellation (DMC) via the Alsat 1 satellite;

“*Stressing* that the added value of satellite data results from the content of the information generated by their integration with other types of data in the form and language adopted by the end-user;

“*Noting* with interest the results achieved by activating the International Charter “Space and Major Disasters” and the contact between DMC and that Charter:

“1. *Encourages* programmes evaluating the risk of major disasters (earthquakes, flooding, forest fires, desertification, drought and locust swarms), and the national, regional and subregional planning which, in conjunction with ground-based programmes, is helping to reduce the economic impact of natural disasters, to foster environmental protection and to assist with raising the living standards of all citizens;

“2. *Recommends* that these efforts continue, having regard to the initiatives and possibilities offered in concerted international planning; *welcomes* the DMC’s intention to make available free of charge a proportion of the DMC satellite data collected;

“3. *Recalls* the importance attached in the 27 September 2002 Declaration to establishing a data pricing policy based on reproduction costs in the case of public applications; *notes* that the Tsunami of 26 December 2004 has prompted reflection on data pricing policy and a shift towards no charge, which it would be desirable to continue in the case of major disasters;

“4. *Notes* with interest the data access and utilization policy for Earth observation satellites, such as Earth Resources Satellite (ERS), Environmental Satellite (Envisat), Earth Observation Satellite (SPOT) and others; *expresses interest* in the contribution of the International Charter “Space and Major Disasters” to managing major disasters as an example of application of the Principles Relating to Remote Sensing of the Earth from Outer Space, adopted by the General Assembly on 3 December 1986; *recommends* study of the advisability of the CRTEAN member States acceding to that charter and machinery for immediate implementation;

“5. *Encourages* the CRTEAN member States to provide access to non-classified information from their databases for the purposes of preventing and managing natural disasters and information networking; *invites* CRTEAN to study at the earliest possible juncture the contribution and deployment of a regional database in that connection, taking into account the multidisciplinary dimension of such data, and to determine standard exchange arrangements with a view to worthwhile exploitation of the data;

“6. *Notes* the ongoing need for national expertise for the purposes of education, training and development; *recommends* the introduction of space systems training programmes and calls for these to be expanded; in this context, *would welcome* those countries which have training facilities and the European Space Agency hosting trainees from the countries of North Africa, providing them with study bursaries by drawing on their own resources or on United Nations machinery, and also envisaging in situ training at the global or regional level in Earth resources observation, telecommunications and satellite-aided navigation and positioning;

“7. *Supports* activities designed to review and improve legislation relative to preventing natural disasters and managing the consequences; *recommends* concerted legislative and regulatory action, having regard to the cross-frontier impact of such disasters;

“8. *Welcomes* the interest shown by the States of North Africa in space law and the organizational support provided by the European Centre for Space Law for arranging conferences, seminars and forwarding documentation; *encourages* the CRTEAN member States and associate States to persevere with their space programmes, become parties at the earliest possible juncture to the United Nations outer space treaties and incorporate existing legal instruments into their national legislation so as to derive full benefit from them;

“9. *Recommends* that the CRTEAN member States set about intensifying their cooperation and their dialogue, conduct studies of common interest and keep each other informed through permanent contact of the results of their initiatives in order to fully benefit from them and exploit knowledge acquired in the region in terms of prevention, management and aid to victims where natural disasters occur; *recommends* that CRTEAN give special

attention to the needs of Africa in the framework of South-South cooperation and dialogue;

“10. *Invites* the CRTEAN Director General to forward the present declaration, after adoption by its Board, to the United Nations Committee on the Peaceful Uses of Outer Space, to the United Nations Educational, Scientific and Cultural Organization, to the Food and Agriculture Organization of the United Nations and to other bodies concerned with the prevention and management of natural disasters.”

European Centre for Space Law

A. Information on the activities of the European Centre for Space Law

1. Practitioners’ Forum

1. The 2005 Practitioners’ Forum of the European Centre for Space Law (ECSL) was held on 18 March at the headquarters of the European Space Agency (ESA) in Paris, under the joint chairmanship of F. Lyall (University of Aberdeen, Scotland, United Kingdom of Great Britain and Northern Ireland) and F. G. von der Dunk (International Institute of Air and Space Law (IIASL), Leiden University, the Netherlands). The 2005 Forum, under the theme “New developments in the field of satellite telecommunications”, was attended by approximately 45 participants from a wide variety of institutional, commercial and academic entities.

2. Manfred Lachs Space Law Moot Court Competition of the International Institute of Space Law

2. ECSL organized the European rounds of the Manfred Lachs Space Law Moot Court Competition at the Surrey Space Centre, University of Surrey, in Guildford (United Kingdom) on 4 and 5 April 2005. Nine teams registered to participate in the event. The team from the University of Cambridge (United Kingdom), (coached by James Crawford and composed of Chris Owen (agent), Alessandro Turati (co-agent) and Daniel Bovensiepen (back-up person)), won the European rounds of the Competition and represented Europe at the world finals, held in Fukuoka, Japan, during the 56th International Astronautical Congress/International Institute of Space Law (IISL) Colloquium on the Law of Outer Space, from 17 to 21 October 2005.

3. The Space Moot Court Competition was won by the University of Georgetown (United States of America) following strong competition from the team from the University of Cambridge, which represented Europe (and ECSL) at the finals. The ECSL Board members supported and advised the team during the months prior to the competition.

3. European Centre for Space Law United Kingdom national point of contact

4. The day after the European rounds of the Space Moot Court Competition, the ECSL United Kingdom national point of contact held a conference at the University of Surrey in Guilford, United Kingdom, on “Current issues in Earth observation”, presenting some of the applications and services of Earth observation, in particular

Global Monitoring for Environment and Security (GMES). Other topics were also addressed, such as the challenges of access to Earth observation data, the issues of ownership, privacy, intellectual property rights, standards, distribution, pricing and archiving, and the use of Earth observation data as evidence in courts, including its admissibility and possible breach of human rights legislation.

4. International Institute of Space Law/European Centre for Space Law symposium

5. The annual IISL/ECSL space law symposium was held in Vienna on 4 April 2005, during the forty-fourth session of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space. It was chaired, once again, by Peter Jankowitsch, Chairman of the Supervisory Board of the Austrian Space Agency and former Chairman of the Committee on the Peaceful Uses of Outer Space, and coordinated by the IISL Secretary. The theme of the symposium was "Recent developments in remote sensing and the desirability of reviewing the 1986 United Nations Principles Relating to Remote Sensing of the Earth from Outer Space". The proceedings of the symposium will be published in the proceedings of the 47th IISL Colloquium on the Law of Outer Space, held in Vancouver, Canada, from 4 to 8 October 2004. Speakers came from Europe (in particular the ECSL Board members), the United States and the Asia and Pacific region.

5. The Regional Centre for Remote Sensing of the North African States/European Centre for Space Law Conference

6. The Regional Centre for Remote Sensing of the North African States (CRTEAN)² and ECSL organized the International Conference on Natural Disasters and the Role of Satellite Remote Sensing: Economic and Legal Considerations, in Tunis from 26 to 28 April 2005. The purpose of the Conference was to highlight and encourage global and regional cooperation and action in remote sensing (access to data and uses) for prevention and management of natural disasters. The event was also an opportunity to review the policies and implementation activities of the CRTEAN member States and to promote knowledge of space law, of current provisions in the field of satellite remote sensing and of the framework policies and objectives of the various actors. The Conference was attended by CRTEAN member and associated States, the ECSL Chairman and some ECSL Board members, the Office for Outer Space Affairs, ESA, European professors, experts and representatives of other international bodies, such as the Sahara and Sahel Observatory. The Conference concluded with the adoption of the Tunis II Declaration, which will be transmitted to other institutions concerned with the prevention and management of natural disasters and to the Office for Outer Space Affairs, following the approval of the CRTEAN Board in January 2006.

² CRTEAN is an intergovernmental subregional organization. It was created on 6 October 1990 by the signature of the constitutive act by five North African States: Algeria, the Libyan Arab Jamahiriya, Mauritania, Morocco and Tunisia. Egypt and the Sudan signed their acts of accession respectively on 12 November 2001 and 6 March 2002. There are also associated States. CRTEAN has its headquarters in Tunis and its main purpose is to promote, coordinate, harmonize and ensure complementarity between the policies of its member States dealing with remote sensing and Geographic Information Systems.

6. European Centre for Space Law biennial general assembly

7. The ECSL biennial general assembly met at ESA headquarters in Paris on 21 June 2005 to discuss the strategic policy and programme of work for the period 2005-2007. The ECSL general assembly elected the new ECSL Board and discussed and approved the amendment to article 2, paragraph 4, of the ECSL charter. Moreover, it stressed the role of the ECSL national points of contact to promote knowledge of space law at the national level and decided to further develop and strengthen the ECSL national point of contact network, through the creation of new ECSL national points of contact in Central and Eastern European States. In that regard, action has already begun. For example the Austrian national point of contact has agreed to convene a meeting in 2006 dedicated to the promotion of space law in the Central and Eastern European States.

7. Fourteenth European Centre for Space Law summer course on space law and policy

8. The fourteenth ECSL summer course on space law and policy was held at the Faculty of Political Science, Pole of Terni, of the University of Perugia, Italy, from 5 to 16 September 2005. A total of 45 students and 4 tutors (previously trained by ECSL) from various European law faculties (including Austria, Belgium, France, Germany, Greece, Hungary, Italy, the Netherlands, Spain, Switzerland and the United Kingdom) attended the course. The ECSL summer course proceedings will be published in the coming months.

8. United Nations/Nigeria Workshop on Space Law

9. The annual United Nations Space Law Workshop was held in Abuja from 21 to 24 November 2005 on the theme "Meeting international obligations and addressing domestic needs". ECSL was represented by S. Marchisio, former Chairman of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space (2004-2005) and current ECSL Vice-Chairman. He presented the results of the workshops and conferences organized with the support of ECSL in North African countries since 2002, such as the conferences organized with CRTEAN and the subsequent declaration and the workshop to be organized with the Royal Centre for Remote Sensing of Morocco.

9. ECSL newsletter and publications

10. The ECSL newsletter features articles on legal issues (such as Project 2001 Plus: global and European challenges for air and space law at the edge of the 21st Century; global monitoring for environment and security: a new way of European cooperation; the digital divide; space law and mechanisms for dispute settlement) and other topics of interest to the space community. The ECSL newsletter provides valuable information on new developments in space law and on other events around the world (such as conferences and workshops) relevant to the space sector and space applications. Each new issue of the ECSL newsletter is sent free of charge to all ECSL members and is published on the ECSL website. The latest issue (number 31) was published in November 2005. The electronic version is available on the ECSL legal database (http://www.esa.int/SPECIALS/ECSL/SEMKL23AR2E_0.html).

11. "Space law teaching in Europe" is an ECSL initiative first issued in 1991 and revised in 1993. It consists of a booklet that compiles a list of space law institutions, universities and training centres (within Europe). The booklet also provides detailed information on professors, credits, tuition fees and duration of courses. It also displays pictures of the listed universities. The third edition of "Space law teaching in Europe" has been distributed and can be sent free of charge to institutions and universities wishing to teach space law, as well as to students. Delegations interested in obtaining a copy of this booklet are invited to contact the ECSL secretariat.

B. Future activities and upcoming events

10. Practitioners' Forum on the theme "Space tourism: legal and policy aspects"

12. Space tourism represents one of the most challenging recent developments in space activities. The presence of private paying passengers raises a number of specific issues and consequences as compared to professional astronauts and scientists who are used to working in or near outer space. ECSL will dedicate the 2006 Practitioners' Forum, to be held at ESA headquarters in Paris on 17 March 2006, to this issue and in particular to some of its major legal and policy aspects. These include the licensing of companies, vehicles and crews; the status of crews and passengers; liability and insurance issues; and financing and sureties. Such aspects will be considered from an international perspective, but both the role of national legislation and the developments in the law of the United States in this respect will be also discussed.

11. Manfred Lachs Space Law Moot Court Competition

13. The European rounds of the Manfred Lachs Space Law Moot Court Competition will be held at the Catholic University of Leuven, Belgium, on 24 and 25 April 2006. On 26 April, the Belgian national point of contact will organize a workshop on Belgian space legislation and other comparative examples of national space laws. The workshop will be held at the Belgian Parliament in Brussels.

12. International Institute of Space Law/European Centre for Space Law Space Law Symposium 2006

14. Bearing in mind the alarming frequency with which natural disasters hit the planet, victimizing thousands and disrupting the economic and political stability of so many regions, the ECSL and IISL boards have decided to dedicate their annual symposium in 2006 to the topic of "Space and disaster management: legal considerations". The symposium, will take place on 3 April 2006 in Vienna, and the programme, which is being finalized, will be published on the ECSL website.

13. Legal and Ethical Aspects of Space Exploration, 26-27 October 2006, United Nations Educational, Scientific and Cultural Organization, Paris

15. As a follow-up to the Conference on Legal and Ethical Framework for Astronauts in Space Sojourns, which took place on 29 October 2004 at the United Nations Educational, Scientific and Cultural Organization (UNESCO) headquarters in Paris, ECSL, the World Commission on the Ethics of Scientific Knowledge and

Technology (COMEST) of UNESCO, the Legal Department of ESA and the Institut du droit de l'espace et des télécommunications (IDEST) of the Faculté Jean Monnet, Université Paris-Sud XI, are organizing a further conference on the legal and ethical aspects of space exploration, to be held at UNESCO headquarters in Paris on 26 and 27 October 2006. This second conference will focus on the exploration of outer space in the light of the projects of some space agencies, such as the Vision for Space Exploration of the National Aeronautics and Space Administration of the United States of America and the Aurora Exploration Programme of ESA. The conference will address the different topics involved and analyse them from the legal and ethical perspectives. Information is regularly updated on the ECSL website (<http://www.esa.int/SPECIALS/ECSL/>). A thematic web page will also be created on the UNESCO/COMEST site (<http://www.unesco.org/ethics>). Anyone interested in being put on the mailing list is welcome to contact the conference organizers (conference2006@idest-paris.org).

C. Other activities

16. ECSL will organize a meeting on "Droit des techniques spatiales" (title to be confirmed) in cooperation with the Royal Centre for Remote Sensing of Morocco in June 2006.
17. The general meeting of ECSL national points of contact will be hosted by the Austrian point of contact in Vienna in September 2006 (date to be determined).
18. The 57th International Astronautical Federation Congress and the 49th International Institute of Space Law Colloquium on the Law of Outer Space will be held in Valencia, Spain, from 2 to 6 October 2006.

International Law Association

A. Background information

1. The International Law Association (ILA), originally known as the Association for the Reform and Codification of the Law of Nations, was founded in Brussels in 1873. Its objectives, which are still valid today, are the study, elucidation and advancement of international law, public and private, the study of comparative law, the making of proposals for the solution of conflicts of law and for the unification of law, and the furthering of international understanding and goodwill. The headquarters of ILA, which is composed of around 50 national branches, are in London. Lord Slynn of Hadley is the Chairman of the ILA Executive Council and Karl-Heinz Böckstiegel is the ILA World President, having been elected at the ILA Conference held in Berlin in August 2004.
2. The Space Law Committee of ILA began its activities in 1958 in New York in the course of the 48th ILA International Conference.³ Since then, the Committee has

³ See the chapters on the Space Law Committee of the reports of the International Law Association Conferences, available in book format from ILA; see also *Space Activities of the United Nations and International Organizations* (United Nations publication, Sales No. E.99.I.24). During UNISPACE III, in the framework of the Workshop on Space Law in the

consistently reported on its work and findings to the biennial conferences of ILA. Since 1996, the ILA Space Law Committee has had the status of permanent observer to the Committee on the Peaceful Uses of Outer Space and reports annually thereto on the progress of its activities on different space law matters.⁴ During the 1990s, the Space Law Committee was chaired by Karl-Heinz Böckstiegel, with Maureen Williams as General Rapporteur. The present officers are Maureen Williams (University of Buenos Aires/Consejo Nacional de Investigaciones Científicas y Técnicas) as Committee Chairperson and Stephan Hobe (University of Cologne, Germany) as General Rapporteur.

3. The most recent ILA Conference was held in August 2004 in Berlin (the 71st Conference). On that occasion, the Space Law Committee reported on the legal aspects of the privatization and commercialization of space activities, with special reference to remote sensing and national space legislation, and a number of conclusions and suggestions were discussed. The Committee thus took forward its terms of reference along the lines set forth in its report to the 70th ILA Conference, held in New Delhi in 2002, and in the ensuing ILA Conference resolution on the “Review of the space treaties in view of commercial space activities”. Reference was made to these international meetings and their results in the previous report to the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space, in April 2005 (see A/AC.105/C.2/L.254).

4. Many of the members of the Space Law Committee are well known to the Committee on the Peaceful Uses of Outer Space and its Legal Subcommittee. Their contributions have frequently been mentioned in previous reports to the Committee on the Peaceful Uses of Outer Space. Among its most actively involved members in recent times, mention should be made of Vladimír Kopal (Czech Republic), Gilbert Guillaume and Armel Kerrest (France), Frans von der Dunk (Netherlands), Niklas Hedman (Sweden), Carl Q. Christol (United States), Mahulena Hofmann (Germany), Gabriella Venturini (Italy) and José Monserrat Filho (Brazil).

5. In addition to remote sensing and national space legislation, another feature has been added for the 2006 ILA Conference. The close relationship between remote sensing and national space legislation on the one hand, and between those two topics and registration issues on the other, prompted the Space Law Committee to carry out an overview of State practice concerning the registration of space objects in accordance with the various legal systems of the world, which will be included in the report for the 72nd ILA Conference, to be held in Toronto in 2006. This topic, presently on the agenda of the Legal Subcommittee of the Committee on the

Twenty-first Century, organized by the Office for Outer Space Affairs and the International Institute of Space Law of the International Astronautical Federation, special reference was made to the ILA International Instrument on the Protection of the Environment from Damage Caused by Space Debris, adopted by the 66th Conference of ILA (Buenos Aires, 1994) and to the ILA draft convention on the settlement of disputes related to space activities, adopted by the 68th ILA Conference (Taipei, Taiwan Province of China, 1998).

⁴ See, in particular, K. H. Böckstiegel, “The role of the International Law Association in the development of the law of outer space”, *Project 2001: Legal Framework for the Commercial Use of Outer Space*, K. H. Böckstiegel, ed. (Cologne, Carl Heymanns, 2002). For more detailed information, reference is made to the ILA conference reports (in book format), which reflect the work of its Space Law Committee, including questionnaires and debates that take place during the working sessions of each conference, as well as resolutions adopted by ILA in this field.

Peaceful Uses of Outer Space, is of major importance in the present state-of-the-art, bearing in mind in particular that the Legal Subcommittee has recently set up a working group on the subject, under the chairmanship of one of our distinguished members, Niklas Hedman. It should be noted that, following the trend of recent years, the legal aspects of space debris and the settlement of disputes relating to space activities continue under permanent study by the Space Law Committee.

B. Activities of the International Law Association Space Law Committee officers and members in 2005

6. The officers and members of the Space Law Committee met several times during 2005 in order to prepare the report for the Toronto Conference. The International Symposium on Global and European Challenges for Air and Space Law at the Edge of the 21st Century, held under the auspices of the Institute of Air and Space Law of Cologne University and the German Aerospace Centre, was particularly noteworthy in that regard.

7. The meeting was organized and conducted by Stephan Hobe, director of the Institute of Air and Space Law and, as mentioned above, General Rapporteur of the Space Law Committee. Other members present at the Symposium, acting in different capacities, were Karl-Heinz Böckstiegel, Gilbert Guillaume, Armel Kerrest, Vladimír Kopal, Mahulena Hofmann, Sergio Marchisio, Frans von der Dunk, Niklas Hedman, Elisabeth Back Impallomeni, Steven Freeland, Kai-Uwe Schrogl and Maureen Williams, who conducted a panel on registration and liability in the field of air and space law.

8. The Symposium, which marked the end of Project 2001 Plus (a far-reaching research programme directed from the University of Cologne), consisted of four working sessions, each of which focused on highly topical questions relating to air and space law, including the various questions surrounding national space legislation and the difficulties of its implementation; current and future relationships between the European Union and the European Space Agency; and common issues in air and space law, with special emphasis on future aerospace applications and the examples provided by registration and liability in both fields.

9. The Symposium was marked by intensive and realistic debates. Furthermore, the close relationship between the topics addressed at the Symposium and the terms of reference of the ILA Space Law Committee for the 2006 Toronto Conference provided an excellent arena for the exchange of views among the many specialists from different parts of the world who attended the Symposium. The debates were of an interdisciplinary nature, thereby reflecting a clear sign of the times.

C. Space law report for the 72nd International Law Association Conference (Toronto, June 2006)

10. Soon after the Berlin Conference in August 2004, the ILA Space Law Committee began the preparation of its report for the Toronto Conference. This required further research on the legal aspects of the privatization and commercialization of space activities, with special reference to remote sensing and national space legislation, in order to produce a second report in which, as noted

above, registration issues would also be addressed. This second report is expected to be on the ILA website (www.ila-hq.org) by the end of March 2006.

11. The first step was a questionnaire prepared by the Rapporteur and the Chair of the Space Law Committee. It circulated among the members in early 2005 and can be found on the ILA website. It consists of a comparative study of state practice relating to remote sensing, national space legislation and registration issues. The Committee members made valuable and realistic proposals for a more precise and consistent legal framework on those questions. The general idea was to avoid over-regulation, which is usually short-lived. The answers to the questionnaire provide an interesting cross-section, reflecting the positions of industrialized and developing countries on the use of these technologies. The challenge now is how to achieve a reasonable balance between the many elements and interests involved.

12. On that basis the Chair and the General Rapporteur are preparing the Toronto report. Following the recent practice of the Committee, and given the width of the topics involved, Maureen Williams continues to be in charge of remote sensing and Stephan Hobe of national space legislation.

13. The main sources for the present work include the recommendations of the ILA conference in Berlin in 2004, the conclusions and recommendations of the United Nations/Brazil Workshop on Space Law on the theme “Disseminating and developing international and national space law: the Latin America and Caribbean perspective”, held in Rio de Janeiro, Brazil, from 22 to 25 November 2004 (A/AC.105/847), the symposium on “Recent developments in remote sensing and the desirability of reviewing the 1986 United Nations Principles Relating to Remote Sensing of the Earth from Outer Space”, sponsored by IISL in cooperation with ECSL, held during the forty-fourth session of the Legal Subcommittee, on 4 April 2005, the conference organized by the United Kingdom ECSL national point of contact at the University of Surrey in April 2005, dealing with the very thorny problem of digital mapping, the International Symposium held in Cologne, Germany, in June 2005 conducted, as described above, by Stephan Hobe, the IISL colloquiums, in which a good number of members of the Space Law Committee participated (in Vancouver, Canada, in October 2004 and Fukuoka, Japan, in October 2005) and the space law research programmes presently under way in Argentina, conducted by Maureen Williams (University of Buenos Aires/Consejo Nacional de Investigaciones Científicas y Técnicas and the National Commission on Space Activities of Argentina).

14. In that context, the ILA Space Law Committee has found it useful to follow a “building blocks” procedure, as suggested by Stephan Hobe at the 2004 Berlin Conference. First and foremost comes the obligation of States to authorize and supervise space activities within their jurisdiction, in particular those of private entities, pursuant to article VI of the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (General Assembly resolution 2222 (XXI), annex). Next is the registration of space objects, an issue that, as already observed, is included in the Space Law Committee’s terms of reference. Last, but certainly not least, is a realistic handling of compensation questions.

15. The underlying idea is the undisputed fact that a number of the 1986 Principles Relating to Remote Sensing of the Earth from Outer Space (General Assembly

resolution 41/65, annex) are outdated and in urgent need of clarification. Therefore, a fresh discussion of those Principles at the private and governmental levels, and without further implications, appears the most reasonable course of action, in spite of the political moment being unfavourable to change. With this objective in mind, an updated review of State practice on the matter seems a timely step forward.

16. In the field of remote sensing, the Space Law Committee usually includes a few comments and ideas concerning the value, in national and international litigation, of data collected by satellites. The conflicting views stemming from recent judicial and arbitral procedures, in particular in the case of boundary disputes, are clear indicators of the importance of this problem.

17. The Space Law Committee and the doctrine in general equally agree that both national space legislation and regional and bilateral agreements on the use of Earth observation satellites are key elements in the process of filling the gaps left by the Principles Relating to Remote Sensing of the Earth from Outer Space and ironing out local differences in the application of the new technologies.
