

The unique SCTL program at the University of Nebraska-Lincoln

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The UN Model Curriculum

- ◆ Main rationales for inclusion of law
 - Law important tool in supporting beneficial uses of space & limiting negative effects of usage of space
 - Leaders in the field – governmental/political, operational, technical & scientific – need fundamental understanding...
 - Of what the law in general requires/prohibits/allows/stimulates
 - Of how law ‘operates’ & can be used as a supportive tool

→ The structure of the Curriculum

1. Basic concepts of international law & space law
 - Relationship between international law & national law, between general international law & specific space law
2. Remote sensing, GIS, meteorology & climate change activities
3. Satellite communications
4. GNSS

SWOT analysis of Curriculum (1)

◆ Strengths

- Allowing non-lawyers understanding of ‘the law’
- Allowing focus directly on activities relevant for participants (at least for 3 major sectors)
- Baseline approach allowing for extensions
- Availability of large network of law professors for teaching various subjects & various angles

SWOT analysis of Curriculum (2)

◆ Weaknesses

- Neither comprehensive nor exhaustive → risk that participants think curriculum in itself is at all times sufficient for the purpose
- Depending upon awareness at high level of potential customers of importance knowledge of the law & how it works
- Limited interactivity – by necessity

SWOT analysis of Curriculum (3)

◆ Opportunities

- To cooperate with other institutions, making space law teaching more efficient & internationally relevant
- To allow domestic experts/academics in general law to become familiar with/specialize in space law
- To create useful networks for later use/support

SWOT analysis of Curriculum (4)

◆ Threats

- Lack of interest/money for making it work
→ Risk of going for cheapness rather than quality
- Lack of possibilities for/interest in national absorption & building of domestic capability in the *legal* realm

The UNL SCTL program cluster

- ◆ Integrates the law & its broader environment; theory & practice; past, present & future
- ◆ Targets both lawyers & non-lawyers, offering some level of tailoring for specific interests
- ◆ Targets public & private, commercial & criminal, military & civil law
- ◆ Stimulates interaction of participants

Unique combination...

- ◆ Space law with telecom law
 - No space activities possible without telecommunications; telecommunications represents largest space sector (at least commercially)
- ◆ Space law with cyber law
 - Cyber issues increasingly relevant in space as well
 - Conceptual comparisons illuminating
 - Attribution & limitations to sovereign control

Research facilities

- ◆ ‘Classic’ library, part of network of US law school libraries
- ◆ Access to on-line repositories
- ◆ Digital Commons at <http://digitalcommons.unl.edu/spacelaw/>
- ◆ Alums & network available for specific issues

Main programs (1)

1. LLM in Space, Cyber & Telecommunications Law
 1. In-residence: 1 year, pre-career, post-law school
 2. Executive on-line: 2+ years, in-career, requires law degree / equivalent experience
 - Mandatory part covers three pillars, beyond that some specialization is possible (incl. thesis)
 3. For smart students: concentration as part of law study

Main programs (2)

2. Certificate in Space, Cyber OR Telecommunications Law

- Elements respective pillar LLM program

3. MLS in Space, Cyber & Telecommunications Law

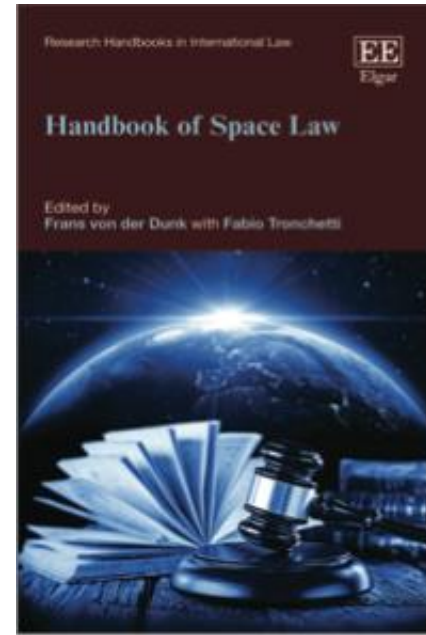
- For non-lawyers: tailored version of LLM program

4. JSD in Space Law

- Essentially the European-style Doctorate

Teaching format space law

- ◆ *Handbook of Space Law*, other materials & individual hand-outs
- ◆ Slides with text & discussion points
- ◆ Class discussions
- ◆ Presentations students on assignments
- ◆ Exam: open questions / paper



Definition of space law

- ◆ ‘Every legal regime having a significant impact, even if implicitly or indirectly, on at least one type of space activity’
 - UN space treaties & UNGA Resolutions
 - *Ad hoc* space agreements (multi- & bi-lateral)
 - General international law, incl. UN Charter
 - Other legal regimes: telecoms, IPR, trade, EU, security & arms control, export controls, etc. etc.

UNL space law curriculum (1)

◆ Researching space law

- Relationship space law with international law more broadly speaking & with telecommunications law
- Availability of research materials & data: primary documents (treaties, resolutions, statutes, regulations, etc.) & secondary literature (expert writings)
- Approach to research projects
- Assigned exercise

UNL space law curriculum (2)

- ◆ Space law (= international space law)
 - UN space treaties & UNGA Resolutions
 - Military uses of space & space technology
 - Launching & various space applications
 - Manned spaceflight
 - Space debris & environmental issues
 - Dispute settlement

UNL space law curriculum (3)

- ◆ International satellite communications law
 - Satcom as special area within telecom
 - ITU regime: frequencies & orbits
 - UNGA Resolution on DBS
 - WTO regime: trade in services
 - Satellite IGOs & their privatization

UNL space law curriculum (4)

◆ National space law

- Focus on handling private commercial space sector
- International framework: Arts. VI-VIII, OST; Liability Convention & Registration Convention
- Some two dozen national space legislations...
- ...and background policies & histories
- EU space law (= special regional legislation) \leftrightarrow ESA

UNL space law curriculum (5)

- ◆ Space and satellite business law
 - US commercial space history & policy
 - Launching, satellite operations, manned spaceflight & space mining in US context
 - Roles & responsibilities US federal agencies
 - Institutional interaction NASA & other federal agencies with commercial sector
 - Business plan development

UNL space law curriculum (6)

◆ Domestic spectrum law & policy

- Includes satcom as special area within telecom
- US law & policy on spectrum allocation & assignment
- Licensed *versus* unlicensed spectrum
- Spectrum auctions

UNL space law curriculum (7)

◆ National security space law

- Legal issues related to new and emerging space technologies
- Key space arms control issues
- US national security space strategy & military space doctrine – as reflected in law & regulation
- International law governing military uses of space and space weapons & contemporary challenges

UNL space law curriculum (8)

◆ Export control law: ITARs

- US export control law & impact on space industry & trade
- EARs & ITARs
- Ongoing efforts at reform

More information...

◆ ... at <http://law.unl.edu/spacecyberlaw/>

Lessons to be learned?

- ◆ Take broad & comparative approach to space law
- ◆ Multiplicity of teachers = variation of view points
 - space law still very much ‘under construction’
- ◆ ‘Practical’ assignments for participants & interactive formats excellent educational tools
 - Moot court participation – Manfred Lachs