



Training and Capacity Building: Networking and Federative Initiatives

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Space Law
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Outline

- 2 Necessary Focuses: “*Se faire connaître et être utile.*”
- Road to Capacity Building : Key Aspects of International Space Legislation
- Training and Capacity Building: Networking and Federative Initiatives
 - ECSL Practitioners’ Forum
 - IISL Regional Conferences
 - ILA Space Law Committee
- Perspectives: Progressive Evolution of Capacity Building in Space Law



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2 Necessary Focuses: “*Se faire connaître et être utile.*”

Challenges to Training and Capacity Building

1. Increasing access to training in space law
2. Ensuring an interdisciplinary and international exchange
3. Creating a coordinated and topical approach to capacity building
4. Providing a practical annotated guide to space law for industry experts and other professionals
5. Necessary focuses for capacity building in space law: “*Se faire connaître et être utile.*”



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Two Necessary Focuses

Focus: Making Space Law Known

- a. Pro-active approach to outreach in various fields
- b. Making space law known to technicians, scientists and engineers
- c. Making the specific branch of space law known to lawyers and legal practitioners

Focus: Making Space Law Useful

- a. Ensuring the relevance of space law to commercial, technical and scientific aspects of space activities
- b. Promoting space law as a specific branch of public international law
- c. Creating bridges between international space law and national space legislation



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Road to Capacity Building : Key Phases of International Space Legislation

Phase 1: Space Law-Making (1956 – 1979)

- Creation of COPUOS
- Tremendous success in passing treaties
- Widespread acceptance and ratification for 1967 Outer Space Treaty
- Passing of more specific legislation with specific amendment / review clauses, e.g. Astronauts Convention, Liability Convention



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Road to Capacity Building : Key Phases of International Space Legislation

Phase 2: UN GA Resolutions – a Softening of Legal Commitments (1980 – 1992)

- Adoption of various UN GA resolutions e.g. Direct broadcasting satellites, remote sensing satellite, nuclear power sources
- Indication of certain state practice, but lack legislative power to become hard law

Phase 3: Reinterpretation (1992 – 2005)

- Re-definition of major notions of international space law in the form of UN GA Resolutions e.g. Declaration of Space Benefits, definition of “launching State”
- Complement to national space laws especially after 2000
- State practice relating to the registration of space objects



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Aspects of International Space Legislation

1. Consensus Method
2. Importance of Redefinitions
3. Next Issues to Consider
 - a. Registration as a crucial principle
 - b. Rescue Convention: Applicability to Space Tourists?
 - c. Model Law for National Space Legislation
 - d. Reconsideration of the Moon Agreement



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Training and Capacity Building: Networking and Federative Initiatives



1. ECSL
Practitioners'
Forum

2. IISL Regional
Conferences

3. ILA Space Law
Committee



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ECSL Practitioners' Forum

Overview:

- ECSL established in 1989 at the initiative of the European Space Agency (ESA)
- Members include professionals in industry, lawyers, academics and students
- Provides a forum for all those wishing to participate in constructive debates on space law
- Encourages interdisciplinary exchange between members
- Coordinator: Dr. Frans G. von der Dunk



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ECSL Practitioners' Forum

History

- One-day forum organized every year since 1992
- Aim: To provide those working in the space sector with an informal forum for the exchange of views, knowledge and information

Forum topics focus on latest developments:

2007 Forum will focus on “Consolidation of the European Space Industry: Legal Aspects” (27 April 2007)

- Major developments in European space industry
- Restructuring and consolidation on a corporate level
- Nationality of consolidated companies and consequent State responsibility
- Inter-relation to UN, EC and ESA legal regimes e.g. Concession bid for the Galileo operator
- Transatlantic issues with US-European cooperation and joint ventures



ECSL Practitioners' Forum

Past Forum topics include

- Space Tourism – Legal and Policy Aspects (2006)
- New Developments in the Field of Satellite Telecommunications (2005)
- New Issues in Earth Observation and Data Policy (2004)
- GALILEO: Legal and Institutional Aspects (2003)



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ECSL Practitioners' Forum

Significance

1. Networking and professional idea exchange at the regional level
2. Focus on topical issues of interest and current developments
3. Informal setting allows for unencumbered exchange of perspectives, ideas and opinions
4. Capacity building at the intra- and extra-European levels



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IISL Regional Conferences

Overview

- Established in 2001 at the initiative of the International Institute of Space Law (IISL)
- Aim of bringing space law and policy specialists together in a specific region to discuss topics of particular interest to that region
- Conferences to allow interested parties from various backgrounds to meet and interact with experts from all over the world and promote mutual understanding and cooperation for the benefit of all parties



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IISL Regional Conferences

Past Conference topics include

- a. Asian Cooperation in Space Activities: A Common Approach to Legal Matters (Thailand, 2006)
- b. Bringing Space Benefits to the Asian Region (India, 2005)
- c. Asia: A Regional Force in Space (PR China, 2004)
- d. Legal Challenges and Commercial Opportunities for Asia (Singapore, 2001)



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IISL Regional Conferences

Significance

1. Networking at the Asian regional level
2. Capacity building for developing and non-space-faring countries in Asia in association with Asian space powers
3. Technology transfer and idea exchange at the Asian regional level
4. Parallel international and interdisciplinary discussion at the professional and industrial level



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ILA Space Law Committee

Overview

- International Law Association (ILA) was founded in 1873 with its objectives “the study, clarification and development of international law, both public and private, and the furtherance of international understanding and respect for international law”.
- 23 current committees, including committees on International Commercial Arbitration, International Human Rights Law and Practice, Use of Force and Space Law



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ILA Space Law Committee

- The Space Law Committee has the status of permanent observer to the UN COPUOS and reports annually thereto on the results and progress of its work
 - Chair: Prof. Maureen Williams
- Rapporteur: Prof. Dr. Stephan Hobe



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ILA Space Law Committee

Significance

1. Present focus on the overview of state practice underlying remote sensing and national space legislation, and the inter-relation of both these topics with registration issues.
2. Circulates questionnaires and feedback papers to members for preparation of the Committee's Report for its annual Conference
3. Analyses and reviews important issues e.g. Space Debris and Dispute Settlement
4. Meeting of peers, professionals and interested parties in Working Group format to review and discuss topics of significance.



Perspectives

- Capacity building is one of the main priority areas for the implementation of the UN Programme on Space Applications in developing countries in the short and medium term.
- There is an urgent necessity to consider challenges to training and capacity building in space law.
- Pro-active steps will enable the progressive evolution of capacity building in space law.



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