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Legal Subcommittee

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Item 5 of the provisional agenda*

Information on the activities of international organizations relating to space law

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Addendum

II. Replies received from international organizations

International Institute of Space Law

A. Background

1. 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. IISL at present has individual and institutional elected members from over 40 countries, who are distinguished for their contributions to space law development. IISL members are entitled to be designated observers at the sessions of the Committee on the Peaceful Uses of Outer Space and its Scientific and Technical Subcommittee and Legal Subcommittee, since IAF is an officially recognized observer at sessions of the Committee.

* A/AC.105/C.2/L.253.



B. Current activities

1. 47th Colloquium on the Law of Outer Space

2. The 47th IISL Colloquium on the Law of Outer Space was held in Vancouver, Canada, from 4 to 8 October 2004. Approximately 88 papers, the highest number ever for this annual event, were presented during the following five sessions: (a) new developments in national space legislation; (b) international law and practice of agreements on cooperation regarding space activities; (c) a general convention on space law?; (d) legal issues relating to private enterprise, property rights and space applications; and (e) other legal matters; telecommunications, nuclear power sources and military implications.

3. A special event for IISL members was hosted by the Legal Department of the European Space Agency (ESA) on European space programmes: an introduction for lawyers. A panel was held and short presentations were given on the European Geostationary Navigation Overlay Service (EGNOS) and Galileo, the Global Monitoring for Environment and Security (GMES) and the European space exploration programme.

2. Thirteenth Manfred Lachs Space Law Moot Court Competition, 2004

4. The thirteenth Manfred Lachs Space Law Moot Court Competition was also held during the IISL Colloquium: The case, concerning the commercialization of a space station, was written by A. Farand, R. Lee and F. von der Dunk.

5. Preliminary rounds of the Moot Court were held at the regional level in Europe (8 teams), in the United States of America (8 teams) and in the region of Asia and the Pacific (19 teams). The finals were judged by three judges of the International Court of Justice, Abdul Koroma, Vladlen Vereshchetin and Francisco Rezek.

6. The final round of the Competition was won by the European team of the University of Leiden, the Netherlands. The Georgetown University Law Center of Washington, D.C., United States, was placed second and the National Law School of Bangalore University, India, third. The Eilene M. Galloway Award for Best Written Brief was won by the University of Leiden, while the Sterns and Tennen Award for Best Oralist was won by Melissa Beiting of the United States team.

7. The finals and the IISL reception were kindly sponsored by the University of British Columbia, Kaye Scholer, Farris, Dorsey and Whitney, the Canadian Space Agency, MacDonald Dettwiler, Ramírez de Arellano y Abogados, the Association of the American Members of IISL, the National Aeronautics and Space Administration of the United States, the ESA/European Centre for Space Law (ECSL) and the Japan Aerospace Exploration Agency.

3. Awards

8. The Distinguished Service Award was awarded to the IISL Treasurer, Frans von der Dunk.

9. The Dr. I. H. Ph. Diederiks-Verschoor Award was awarded to Atsuyo Ito of Japan for her paper on the legal aspects of the Charter on Cooperation to Achieve

the Coordinated Use of Space Facilities in the Event of Natural or Technological Disasters (International Charter “Space and Major Disasters”). The Award is made for the best paper presented at the IISL Colloquium by authors under the age of 40 years who have not published more than five papers in the proceedings of IISL Colloquiums. Eight authors submitted papers to compete for the Award, which consisted of a medal and a prize of 500 euros.

4. Publications

10. The following publications were published:

(a) The proceedings of the 46th Colloquium of the Law of Outer Space were published by the American Institute of Aeronautics and Astronautics;

(b) The report of the Standing Committee on the Status of International Agreements Relating to Activities in Outer Space was prepared by Andrei Terekhov and published in the *IISL Proceedings*;

(c) The proceedings of the Beijing Space Law Conference, held in April 2004, were published by the China Institute of Space Law.

C. Future activities

1. Third Regional Space Law Conference, Bangalore, India

11. The next Regional Space Law Conference will be hosted by the Indian Space Research Organization in Bangalore, India, from 26 to 29 June 2005. The Conference is the third of a series of regional conferences initiated in 2001 with the aim of bringing space law and policy specialists together, in a specific region, to discuss topics of particular regional interest and allow participants of 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.

12. The Conference will focus on the following topics: (a) legal implications of missions to the Moon; (b) legal aspects of launching services; (c) remote sensing and geographical information; (d) telecommunications, including tele-education and telemedicine; (e) a special case on disaster management; and (f) national space legislation: towards a blueprint. More information can be found on the IISL website (see para. 20 below).

2. 48th Colloquium on the Law of Outer Space

13. The 48th IISL Colloquium on the Law of Outer Space will be held from 17 to 21 October 2005 in Fukuoka, Japan. The Colloquium will discuss the following topics:

(a) *Convergence and privatization in telecommunications: institutional and other responses.* This session will focus on technical and commercial developments in telecommunications that have required institutional and other changes in the telecommunications sector. Papers will refer to restructured organizations, such as the International Telecommunications Satellite Organization and the International Mobile Satellite Organization in the light of their new responsibilities; developments within the International Telecommunication Union and the

consequences of its transformation over the last decade; the legal basis and possible outcomes of the World Summit on the Information Society; and the consequences of modified domestic regulations (e.g. the United States and the European) in the international context. Other problems of convergence and privatization may be identified and suggestions made for their solutions;

(b) *Legal aspects of expanding human presence beyond low-Earth orbit.* This session will address the various current plans that are being developed and that would result in human presence beyond low-Earth orbit. Papers will deal with various legal aspects arising. Attention will be given to the existing space treaties and principles and how far they limit human and robotic activities beyond low-Earth orbit (e.g. in the commercial area); new instruments required for human being's plans to travel, work and live in space beyond low-Earth orbit; and to what extent the international space community should look beyond specific precedents, such as the International Agreement on the Space Station, to develop a general convention on humans in space or continue proceeding on a case-by-case basis;

(c) *Legal issues related to new developments in space applications: navigation, remote sensing and geographical information systems.* This session will cover the increasingly development of space applications in conjunction with other applications in the areas of satellite navigation and remote sensing and will provide an interesting example thereof as they are both incorporated into geographical information systems (GIS) and related systems. Papers will focus on navigation and remote sensing, in particular on new developments such as the overarching issues of GIS, and will deal with their respective legal aspects, such as privacy and data protection, security and encryption and access to data;

(d) *Other legal matters 1, including legal aspects of sub-orbital flights.* This session will be covered by papers addressing all other legal matters, but specifically legal aspects of sub-orbital flights, including institutional jurisdiction, the boundary between air space and outer space, liability, registration and landing rights;

(e) *Other legal matters 2, including legal aspects of property rights on the Moon.* This second session will be covered by papers specifically addressing recent developments on the issue of property rights on the Moon and the broader issue of the relationship and interactions between government and private enterprise;

(f) *A scientific/legal roundtable* will be held on space traffic management and IISL will also propose a plenary session on a legal/business-related topic;

(g) The 49th IISL Colloquium of the Law of Outer Space will be held in Valencia, Spain, in October 2006.

3. Fourteenth Manfred Lachs Space Law Moot Court Competition, 2005

14. The world finals of the fourteenth Manfred Lachs Space Law Moot Court Competition will be held during the 48th Colloquium. The case concerning international liability (*Deltastan versus Gammaland*) was written by D. Burnett. Three judges of the International Court of Justice will be invited to judge the finals. Regional rounds will be held in Asia and the Pacific, Europe and the United States. Details on each round and the case will be made available on the special IISL website (www.spacemoot.org).

4. International Institute of Space Law/European Centre for Space Law symposium for the delegates to the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space

15. On 4 April 2005, IISL and ECSL will organize a symposium on recent developments in remote sensing and the desirability of reviewing the Principles Relating to Remote Sensing of the Earth from Outer Space (General Assembly resolution 41/65, annex), for delegates to the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space. The symposium will be chaired by Ambassador Peter Jankowitsch of Austria.

5. Property rights on the Moon

16. The Board of Directors of IISL has published a statement on its website on claims to property rights regarding the Moon and other celestial bodies. It is now the intention of the Board, as a follow-up, to organize a workshop enjoining scientists and lawyers to address these questions in order to examine the broader issue of the relationship and interactions between government and private enterprise. The institutes of air and space law of Cologne, Germany, Leiden, the Netherlands, and Montreal, Canada have agreed to cooperate and will plan the workshop on issues related to commercial exploitation to be held in early 2006.

6. Publications

17. The proceedings of the 47th Colloquium on the Law of Outer Space will be published by the American Institute of Aeronautics and Astronautics.

18. 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.

19. IISL will continue to submit an annual report on its activities to the Committee on the Peaceful Uses of Outer Space.

20. The IISL web site (www.iafastro-iisl.com) is being regularly updated.

21. IISL will prepare, with the assistance of the Office for Outer Space Affairs, an update of its bibliography of IISL proceedings, covering the period 1996-2003.