INTRODUCTION

The Board of Directors met on March 22nd, 2009 in Vienna. The deliberations and decisions of the Spring Meeting are reflected in this Newsletter.

IN MEMORIAM EILENE M. GALLOWAY

It is with great sadness that the International Institute of Space Law notes the passing of Eilene Marie Galloway on 2 May 2009. Dr Galloway worked for several decades for the Congressional Research Service of the United States Library of Congress. She has been pivotal in helping to write the NASAct, emphasizing international cooperation and peaceful exploration. She also worked with UNCOOPUS, and was instrumental in creating the IISL. She was Vice President of the IISL between 1967 and 1979, becoming the Institute's Honorary Director after that. She received the Andrew Haley Gold Medal in 1968 and the IISL's Lifetime Achievement Award in 1990.

In her name, the International Institute of Space Law created the Eilene Galloway Award for Best Written Brief in the Manfred Lachs space law moot court competition from 2000 onwards and since 2006, the Eilene Galloway Symposium on critical issues in space law.

The Institute availed of her valuable advice until her passing. As IISL Emeritus President Prof. Isabella Diederiks-Verschoor wrote in her tribute to Eilene Galloway in the 2006 IISL Proceedings: "She has lived her life of distinguished service to the U.S. and to the Space World and has been an inspiration to us all, and above all a reliable friend."

See the Book of Memorial Tributes on the IISL website. This document is also published in the Proceedings.

STATEMENT OF THE BOARD OF DIRECTORS

The Board of Directors adopted a new Statement on the issue of private property rights on the Moon and other celestial bodies. The Statement was adopted by consensus on March 22nd.

COSPAR, IAA and IAF officially endorsed the Statement. The adoption was announced during the IISL/ECSL Symposium at the UNCOOPUS Legal Subcommittee. The Board Statement is published on the Institute's website.

EILENE M. GALLOWAY SYMPOSIUM ON CRITICAL ISSUES IN SPACE LAW

The 3rd Eilene Galloway Symposium was held in Washington DC on 11 December 2008, on the topic ‘Article VI of the Outer Space Treaty: Issues and Implementation’. It was a very successful event. There were representatives from 5 countries, 6 members of the Board participated in the symposium. A report and several of the papers presented will be published in the IISL proceedings. This year, Arianespace Inc. contributed as a sponsor, for which the Institute is most grateful.

The 4th Eilene Galloway Symposium will take place on 10 December 2009, as usual in the Cosmos Club in Washington DC, The topic is “International Cooperation for Peaceful Purposes”.

52ND COLLOQUIUM IN DAEJEON, KOREA, 12-16 OCTOBER 2009

Sessions:

The 52nd IISL Colloquium will be held from 12-16 October 2009, in Daejeon, Korea, in conjunction with the 60th International Astronautical Congress.

The IISL will hold 5 sessions, in which two of the initial topics will be combined into one session (the topics of sessions 3 and 5).

The first session has two innovative aspects. First, it will host the first ‘Nandasiri Jasentuliyana Keynote Lecture’, which will be delivered by Prof. Vladlen Vereshchetin, former Judge in the International Court of Justice and Honorary Member of the IISL Board. The topic of his lecture is “The Law of Outer Space in the General Legal Field (Commonality and Particularities)”.

The other innovation is that the IISL will, after this keynote lecture, welcome young scholars to present their views on “Future Challenges and
Potential Solutions” in the field of space law. Authors under 35 years old will present their papers in this session, and of course they will all compete for the “Isabella H.Ph. Diederiks-Verschoor Award” for best paper by a young author.

The following are the session topics (each session has an average of 12 accepted papers):

- **Session E8.1:** ‘Nandasiri Jasentuliyana Keynote Lecture on Space Law & 1st Young Scholars session’ (Chairs: S Hobe/T. Masson-Zwaan)
- **Session E8.2:** ‘Peace in Space: Transparency and Confidence Building Measures (Chairs: S.M. Rhee, S. Marchisio)
- **Session E8.3 & E8.5:** ‘Third party liability issues in commercial space activities’ (Chairs T. Kosuge and D.H. Kim) AND ‘Legal challenges to Earth observation programs with particular emphasis on developing countries’ (Chairs J. Monserrat, KRS Murthi)
- **Session E8.4:** ‘Legal Mechanisms for Encouraging Space Commerce’ (Chairs R. Jakhu, S. Mosteshar)
- **Session E8.6:** ‘Recent Developments in Space Law’ (Chairs E. Back Impallomeni, H. Zhao)
- **Session E3.5:** 24th IAA-IISL Scientific-Legal Roundtable: Assessing Commercial Human Spaceflight

The roundtable in Glasgow last year was a great success with over 50 attendees. The IISL President and IAA Secretary General attended and made introductory remarks. The Roundtable is not a technical session but an interdisciplinary event where there are fewer papers and more discussion. IISL members are strongly encouraged to participate in the Roundtables.

- **PE9:** Plenary event: Achieving a Sustainable Space Environment for Future Space Activities

Ray Williamson will moderate the panel. IISL member Richard DalBello (Intelsat) will address legal issues.

**Summary meeting and social event schedule**

**Note:** those wishing to attend the moot court finals and IISL dinner must notify the IISL assistant secretary before 1 October by email at kwa@bcr-dc.com. Details about timing, transportation etc, will be provided in Korea.

- Monday 12/10, 1-4 pm, Board room: Board of Directors meeting
- Tuesday 13/10, 10 a.m.: E8.1
- Tuesday 13/10, 2-4 p.m.: moot court semi final (closed session at Solomon Law Park)
- Tuesday 13/10, 3 p.m.: E8.2
- Wednesday 14/10, 10 a.m.: E8.3 & 5
- Wednesday 1 p.m.: IISL General Assembly (same room as session)
- Wednesday 14/10 3 p.m.: E8.4
- Thursday 15/10, 10 a.m.: E3.5
- Thursday afternoon (Solomon Law Park): Moot Court finals
- Thursday evening (Daejeon Museum of Art): IISL dinner
- Friday 16/10, 9-10 a.m., PE9
- Friday 16/10, 10 a.m: E8.6
- Friday evening: IAF Closing Banquet (IISL tables will be reserved for members with tickets)

**Dr. I.H.Ph. Diederiks-Verschoor Award & Prize**

The Prof. Dr. I.H.Ph. Diederiks-Verschoor Award and Prize for best paper by a young author will be given in Korea. The Board of Examiners consists of Prof. Back Impallomeni, Prof. J. Monserrat Filho and Prof. J. Galloway. This year, six papers have been submitted. Prof. Back Impallomeni sponsors the €500 prize and Prof. Fernandez Brital provides the medal (Note: in 2008 the Award was not given for lack of sufficient entries).

**Practical information**

**Written papers**

All authors have been informed whether their paper was accepted. Detailed instructions can be downloaded from the IAF website, www.iafastro.org. These instructions apply also to IISL papers.

Before you can upload your papers, you must fill in the copyright form online. Please follow all instructions closely. **Note that there is a special copyright form for IISL papers.**

All papers must be uploaded by September 21, to be included in the DVD that will hold all IAC papers. If your paper is uploaded after that date, it can still be accessed online at the Congress.

This being the case, it is no longer required to bring a large number of copies for distribution during the Colloquium – although you are free to do so. You must bring the number of copies required in the instructions, i.e. 5 if you have uploaded on time, and otherwise 10.

The required number of copies must be available. **No paper = no presentation /no publication!**

If for any reason your paper is NOT uploaded during the congress, you must still bring 75 copies, and upload as soon as possible but no later than 1 month after the Congress.

Although IISL papers will be included in the CD-rom, the IISL Proceedings, containing additional materials, will continue to be published by AIAA.
To be considered for publication, the final version of your paper must be available not later than one month after the Congress. In case you change your paper, the final version must be sent to:

Corinne C. Jorgenson, Editor, IISL Proceedings
10509 Center Street, #100
Fairfax, VA 22030 - USA
Tel: 703-655-3813, Fax: 703-352-3000
secretary@iislweb.org

Note: This is an exception to the rule that all papers must be uploaded by the start of the Congress, and the extension is only to be used in special cases and after consulting the secretary.

Papers that are not formatted according to the instructions will not be printed in the Proceedings.

Oral presentation

Speakers making use of Powerpoint must follow the instructions provided to all authors. Note that if you want your presentation to be uploaded, this must be done at least one day before your session. You may also bring your own computer and connect that, but you may not insert a CD or memory stick into the computer in the room.

Each speaker will have 15 minutes to present his/her paper. In order to be considered for publication, a paper must be presented at the Colloquium, either by the author himself, or, in summary, by another person.


For information about the programme, see the minisite: http://www.iafastro.com/?title=IAC2009

**18TH MANFRED LACHS SPACE LAW MOOT COURT COMPETITION**

The World Finals of the 18th Manfred Lachs Space Law Moot Court Competition will be held during the Daejeon Colloquium. The winners of the three regional rounds will address the “Case concerning the Deployment and Use of Force in Low Earth Orbit (Fornjot v. Telesforo)”. Semi-finals will be held on Tuesday 13 October (a CLOSED session) and the Finals will be held on Thursday 15 October 2009 in the afternoon, both at the Solomon Law Park in Daejeon, Korea. Three Judges of the International Court of Justice will judge the Finals. The Sterns and Tennen award for Best Oralist, the Eileen M. Galloway Award for Best Brief, the Manfred Lachs Trophy and the Lee Love Award for the winning team, and, this year only, the Korean Minister of Justice Award for the 2nd Best Team, as well as various plaques and certificates will be awarded.

For the European round, 9 teams participated in Athens, Greece. In the Asia Pacific round, 26 teams took part in Sydney, and a domestic funding round was held in India. In North America, 8 teams competed in Washington, DC.

The names of all participating universities, as well as the Judges of the written briefs, of the semi finals and of the finals will be listed in the Moot Court Brochure that will be made available in Korea.

The winners of the preliminary rounds are:

- National Law School of India University, Bangalore, (India)
- University of Strathclyde (UK)
- Georgetown University, Washington DC (USA)

The team with the highest score for written briefs will go directly to the Finals, the other two teams will meet first in the Semi Final.

**AWARDS & CERTIFICATES**

The Board decided unanimously to present the following IISL Awards in Korea. A Distinguished Service Award will be presented to Prof. Stephan Hobe and a Lifetime Achievement Award will be given to Judge Vladlen Vereshchetin.

**ELECTIONS**

The term of the following directors expires in Korea: Prof. J. Gabrynecz, Prof. J. Galloway (vice-president), Prof. A. Kapustin, Prof. T. Kosuge, Dr. KRS Murthi, Dr. S. Ospina and Prof. M. Williams

The Nomination Committee consisting of Dr. Van Fenema (Chair), Dr. S. Freeland and Prof. Monserrat will give its report in Korea.

The Board approved the appointment of a new Assistant Secretary, Mr. Karl Abendschein and an Assistant Treasurer, Ms. Axelle Cartier. These are non-Board positions, on appointment by the Board for a period of two years.

**NEW MEMBERS**

The following individual members were elected in October 2008 and in March 2009:

**Institutional members:**

SES Astra
Chateau de Betzdorf
L-6815 Luxembourg

Romanian Space Agency
Str. Mendeleev 21-25, sector 1
Bucharest 010362
Romania
Individual Members:

Prof. Richard CROWTHER
STFC
Harwell Science And Innovation Campus
Chilton, Oxfordshire, OX11 0QX
UK
Richard.crowther@stfc.ac.uk

Prof. Dr. Countess Ingrid DETTER DE LUPIS FRANKOPAN
Château de Verrey
F-21690 Verrey, France
IngridDetter@aol.com

Ms. Cynthia JIMENEZ MONROY
Frankenslag 350
The Hague, 2582 JB
The Netherlands
jm.cynthia@gmail.com

Ms. Claire JOLLY
98 rue Bobillot
75013 Paris, France
Claire.jolly@oecd.org

Prof. Mehmet K. KONAR-STEENBERG
William Mitchell College Of Law
875 Summit Avenue
St. Paul, Mn 55105
USA
mehmet.konar-steenberg@wmitchell.edu

Mr. David KOPLOW
600 New Jersey Avenue, NW
Washington, DC 20001, USA
kopolow@law.georgetown.edu

Ms. Sara LANGSTON
1410 N. Scott Street #265
Arlington, VA  22209, USA
langstonsara@gmail.com

Dr. Leopold MANTL
12, Rue des Boers
1040 Brussels, Belgium
Leopold.mantl@ec.europa.eu

Prof. Dr. Irmgard MARBOE
Faculty of Law, University of Vienna
Schottenbastei 10-16
A-1010 Wien
Austria
irmgard.marboe@univie.ac.at

Mr. Giovanni MASTROIANNI
Street S. P. 336 n. 15
81013 Caiazzo, Italy
giovanni.mastroianni@libero.it

Dr. Patricia K. MCCORMICK
585 Manoogian Hall
Detroit, MI 48201
USA
pmccormak@gmail.com

Captain Esteban PACHA VICENTE
99 City Road
London, EC1Y IAX
UK
esteban_pacha@imso.org

Mr. James RENDELEMAN
975 War Eagle Drive N
Colorado Springs, CO 80919
USA
napatarheel@hotmail.com

Mr. Joseph RICHER
206 North Patrick Street
Alexandria, Virginia 22314
USA
joe.richer@gmail.com

Mr. Werner RICHTER
17 Avenue De Saxe
75007 Paris
France
werner.richter@dlr.de

Ms. Annelie SCHOENMAKER
13 rue de la Louviere
78120 Rambouillet, France
annelie.schoenmaker@esa.int

Mr. Anthony WICHT
20  Coronga Crescent
Killara NSW  2071
Australia
anthony.wicht@gmail.com

Mr. Ernst WILSON
2525 B Peartree Road
Elizabeth City, N. Carolina 27909, USA
ewilson@mail.ecsu.edu

UNCOPUOS

IISL/ECSL Symposium

On the occasion of the 48th Session of the Legal Subcommittee of the UNCOPUOS in March 2009, the IISL and ECSL organized the annual Space Law Symposium for delegates and staff of the Legal Subcommittee. This year the topic was “The 30th Anniversary of the Moon Agreement: Retrospect and Prospects.”
In March 2010, the IISL and ECSL will again organise a symposium for delegates and staff of the Legal Subcommittee.

**Report on activities**

IISL was again invited by the UN to present a report on its activities to the COPUOS. The report was written and presented by the President.

**UN Highlights in Space Report**

In December 2009, the IISL submitted its contribution to the UN Highlights in Space report. Dr. Sylvia Ospina edited the report, with help from various other members of the Institute. The report for 2009 is currently being prepared.

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53rd COLLOQUIUM IN PRAGUE, CZECH REPUBLIC, 27 SEP. – 1 OCT. 2010

**Session Program**

**Note:** Members interested in any rapporteur position, should contact the Secretary before October 8th.

The following sessions topics were decided:

**E8.1: Nandasiri Jasentuliyana Keynote Lecture on Space Law & Young Scholars Session**

In the first part of this session, the IISL will invite a prominent speaker to address the members of the Institute and other congress attendants on a highly topical issue of broad interest. The second part of this session will be especially dedicated to the space lawyers of the future, in that young scholars (under 35 years old) are invited to present a paper on “Space Law – Future Challenges and Potential Solutions” but the IISL is also open to other topics. Note: All young scholars are requested to submit their paper to THIS session ONLY.

Chairs: Prof. Kopal, T. Masson-Zwaan, Rapporteur: TBD

**E8.2: 30 Years of the Moon Agreement: Perspectives**

For this session, papers are invited to analytically address the future perspectives of the Moon Agreement, which celebrated its 30th anniversary in 2009. Papers may thus critically analyze (a) recent developments in COPUSOs, such as the 2008 ‘joint statement’ by several states parties on the benefits of adhering to the Agreement, (b) the future design, adoption and implementation of an international regime to govern the exploitation of the natural resources of the celestial bodies ‘as such exploitation is about to become feasible’, (c) the reasons for the timid support for the Agreement from the international community, and (d) issues concerning the protection of the Moon environment and of other celestial bodies. The question of how exploitation of moon resources relates to the non-appropriation principle as well as the Common Heritage of Mankind principle may also be critically scrutinized.

Chairs: Dr. M. Hoffman, Prof. M. Williams, Rapporteur: TBD

**E8.3: Legal Aspects of Space Security**

Recent anti-satellite tests and the EU Proposal for a Code of Conduct for Outer Space Activities of December 2008 as well as other initiatives like the Russian-Chinese proposal for a treaty demilitarizing outer space ("Treaty on the Prevention of the Placement of Weapons in Outer Space, the Threat or Use Of Force Against Outer Space Objects"), together with the collision of a Russian defunct satellite with an operational US Satellite in early 2009, sparked broad international debate amongst experts and decision-makers alike. Papers in this session are invited to analyze the legal aspects related to the need for keeping space safe for civilian as well as military operations avoiding the weaponization of space at the same time. Papers are also encouraged to address the most recent proposals in this context and to present ideas for the further development of space law addressed to the relevant international forums.

Chairs: Dr. K-U Schrogl, Judge Vereshchetin, Rapporteur: TBD

**E8.4: Current Status of the Rule of Law with regard to Space Activities**

Since the adoption of the Moon Agreement in 1979, no other international treaties have been adopted in the United Nations. Rather, first a number of United Nations General Assembly Resolutions on Direct Broadcasting Satellites, Remote Sensing, and Nuclear Power Sources were adopted concerning certain areas of uses in outer space. Thereafter, other United Nations General Assembly Resolutions served the purpose of making more concrete certain aspects of international space legislation, such as Article I paragraph 1 of the Outer Space Treaty with the Space Benefits Declaration, or the notion of Launching State in the Liability Convention and the Registration Convention, etc. Against this background, in light of the most recent development of the UN Space Debris Mitigation Guidelines, papers are invited to discuss the current status of the rule of law with regard to outer space activities. (Generally, the "rule of law" means that the law must be prospective, well-known, and have characteristics of generality, equality, and certainty).

Chairs: Prof. S. Hobe, Amb. P. Jankowitch, Rapporteur: TBD

**E8.5: Recent Developments in Space Law**

In this session, papers are invited to address legal aspects of the most recent developments in space activities that have taken place since the
other session topics have been determined, i.e. since March 2009 only. In addition, papers are invited to address two special issues. Firstly, this concerns the legal aspects of Solar Power Satellites. In this field several high-level technical studies are currently conducted to assess whether such satellites can operate within the existing international regulatory regime and whether such regime is conducive to this newest space application. Secondly, papers are invited to address the ongoing developments and progress in the context of international Intergovernmental agreements on space cooperation and space activities, such as the Agreement on the International Space Station or agreements pertaining to international satellite organizations like ITSO, IMSO, EUTELSAT IGO or ARABSAT.

Chairs: Prof. F. Von Der Dunk, Mr. KRS. Murthi, Rapporteur: TBD

Abstracts must only be submitted online before 5 March 2010 (see www.iafastro-org).

Plenary Session
A plenary session is being coordinated by Mr. Mark Williamson on ‘Protecting the Space Environment’. The draft proposal has received the endorsement of the IAF and IISL Presidents, the IPC Chairman for IAC 2010, and the Chairman of IAA Commission V. Prof. Mahulena Hofmann will speak on legal issues.

25th IAA-IISL Scientific/Legal Roundtable
The IAA-IISL Scientific/Legal Roundtable will be held on the topic “New Age of Earth Observation Satellite Missions.” A joint publication by the IAA and IISL celebrating the 25th Anniversary of the Roundtable is being considered.

Moot Court – IISL Dinner
The world finals of the 19th Manfred Lachs Space Law Moot Court Competition will be held in Prague. The Problem for 2010, titled “Case concerning Suborbital Tourism, Definition of Outer Space and Liability (Aspirantia v. Republica)” has been released on the moot court website, www.spacemoot.org.

The Local Organising Committee has among its members our Vice President Prof. V. Kopal, as well as our long-time members Dr. Perek and Prof. Hofmann. The IISL will liaise with the LOC to assist them in making the arrangements, which are already well advanced. Funding is still being sought for the IISL dinner and moot court.

PUBLICATIONS / COMMITTEES

IISL Proceedings
The Board has decided to change the title of the IISL Proceedings publication to ‘Proceedings of the International Institute of Space Law (year)’. This new title better reflects the value of the book and its contents, since for many years now, it covers much more than ‘only’ the colloquium papers. For clarity, all major events covered in the book have been listed on the second page of the book.

The Proceedings of the Colloquium held in Glasgow have been published. An order form is available on the IISL website. Reduced prices apply for AIAA and IISL members.

Committees
The IISL Standing Committee on the Status of International Agreements relating to activities in Outer Space continues its useful work. Dr. A. Terekhov chairs the standing Committee.

The Reports of this committee are published in the Proceedings of the Colloquia and on the website of the Institute.

STATUTES
A small committee of the Board has finalised their report on suggested amendments to the Statutes, and the Board has approved it. These amendments will be brought to the General Assembly in Daejeon for a vote.

HOW TO ORDER PROCEEDINGS
IISL members are entitled to purchase copies of the Proceedings at a discount.

Back issues are available from William S. Hein & Co., 1285 Main Street, Buffalo NY 14209, tel 1-800 828 7571 or 716-882 2600, fax 716 883 8100 (Volumes from 1980-1992 are out of print).

Issues from 1993* are available from AIAA Publications Customer Service, P.O. Box 960, Herndon, VA 20172-0960, USA.

T: 703-661-1595; fax 703-661-1501
E: warehouse@aiaa.org
W: http://www.aiaa.org/content.cfm?pageid=320

Prices range from $64.95 (US) for members to $180 (US) for non-members.

The Glasgow Proceedings are available at $89.95 for members and $180 for non-members, excluding shipping charges.

See http://www.iislweb.org/proceedings.html for an order form.

*Some proceedings may be out of print.