A Word from the Chairman

Autumn news bulletin

Firstly, I would just like to commiserate with the ECSL team and express my sadness and shared disappointment at its not having managed to reach the final of the 2006 Manfred Lachs Space Law Moot Court Competition. It was certainly not for lack of trying. But take heart! Defeat accepted gracefully is just as worthy of admiration. The important thing surely is to have picked up a bit more experience along the way.

The task of planning the ECSL’s future concerns you and indeed concerns us all. As you will no doubt be aware, I have now left the European Space Agency and gone into retirement. I shall nevertheless continue to serve as ECSL Chair right the way through to the next elections (General Assembly, June 2007). In truth, I am counting a good deal on the support of Vice-Chairman Professor Sergio Marchisio and we shall be working in tandem.

The ECSL is also due to have a new Young Graduate Trainee. This rare breed of individual is no mere secretary. The tasks to be carried out are many and varied. From plain simple administration, which in itself amounts to a considerable workload, to applying an acquired knowledge of space law, institutions, etc. The job also involves providing all-important back-up to the ECSL Chairman, the Committee, etc.

As already announced, the ECSL is being called on to adopt a new profile in order to deliver yet more in terms of its activities and impact. And here I am thinking in particular of the partnership that the ESA Director General has asked us to set up. I also have in mind the international dealings and the space-law teaching provision that our contact with Latin American countries has enabled us to arrange. This development of ECSL’s activities should be seen as a strengthening of its identity, with greater autonomy and an expanded array of tasks. The resources placed at our disposal are set to remain at the same level and this will call for even greater dedication on the part of our members, the bureau and the national points of contact. To round off this introduction, I would therefore appeal to each and every one of you to play your part in ushering in what I might call the “post-Laff” era. May it be an era of even more generous devotion to the cause. I would like to extend to you all heartfelt thanks for your invaluable support to date and for your continuing support. Looking ahead to the passing of another year, may I also take this opportunity to extend in advance seasons’ greetings to you all.

Gabriel Lafferanderie
ECSL Chairman
Satellites as a Legal Compliance Tool

There has been growing interest in the legal community as to whether satellite technologies could actually provide new and valuable sources of legal information. Although the use of satellite technologies for law enforcement and monitoring is still very much in its infancy, its significance as a compliance tool has increased dramatically in the context of the unprecedented technological advances that have occurred over the last few years. These include the remarkable step-changes in the resolution capabilities, better geographical coverage, and the decrease in the costs of acquiring some types of imagery. A further significant development to its future use has been an increase in awareness and access to such technologies. By providing free access to high resolution satellite imagery on the internet, Google Earth is a good example where imagery has been being pushed forward into mainstream use and thinking.

The step changes and other advances in satellite technologies and Unmanned Aerospace Vehicles (UAVs) suggest that there is an increased likelihood of them playing a greater role in legal systems. What enforcement agency would not welcome a tool that allows for data collection of practically any location, with availability on an unprecedented scale? Whilst it is clear that the use of satellite data is not yet suitable for all types of compliance monitoring needs, certain activities can already be monitored and the images used as evidence in a court or administrative tribunal. For example, the use of satellites for legal enforcement is already prescribed under European legislation for providing a rigorous, legally-reliable, and cost effective tool in monitoring environmental conditions and pressures.

It is noticeable that projects involving satellites, such as GMES, are being driven and coordinated by technical specialists and policymakers. Legal input is rarely covered in the current space priorities under the GMES framework programmes, and it seems that this is replicated internationally. National governments are also placing greater emphasis on applications of space technologies and their end-users, but despite a growing realisation of the increasingly varied possibilities for using satellite data, little systematic research on the legal framework of applications has yet been conducted. The recent technological advances should have thrown this issue into sharper relief and lawyers should be playing a much more active role in examining the capabilities and legal implications of satellites.

In October 2005, the Arts and Humanities Research Council (AHRC) in the United Kingdom awarded researchers in the Departments of Law and Geography at University College London, nearly 500,000 Euros to examine the potential of satellite technologies for providing a rigorous, legally-reliable, and cost effective tool in inspection and compliance regimes under contemporary environmental legislation. This major research project, which will be the first of its kind in Europe, started in October 2005 and will run for over 3 years.

A distinctive feature of this research is it being rooted in legal discipline, and it appears to be the only international projects where lawyers are driving the programme. Although the project which will be led by legal researchers (Professor Richard Macnair and Ray Purdy) in the Law Department, there is still strong collaboration and technical input from satellites specialists (Professor Ray Harris and Matt Tyburski) in the Department of Geography at UCL.

The starting point of the AHRC research is to identify current uses where satellites are being used for enforcement and monitoring purposes internationally. Case-law and legislation prescribing its use will be demonstrated. The next stage of the research will seek to identify key international and European Union environmental laws in order to identify those elements where the current and future technical capabilities of satellites could provide compliance data. This will require close interaction between legal and technical disciplines, examining selected environmental laws, and seeking matches between the technical capabilities of satellites (existing and potential), and the legislative requirements.

A further stage of the AHRC research project will be to examine the effectiveness of satellite monitoring under Common Agricultural Policy support schemes and see how this might has affected compliance behaviour. There are also a number of uncertainties and complexities surrounding the legality and social and economic impacts of using satellites. The final stage of the research will be to consider the likely constraints to the enhanced use of satellite imagery as a compliance tool. This encompasses legislative design, its use as evidence and admissibility, lack of knowledge by regulators, data potential including costs and reliability, and issues of public acceptability (especially privacy).

A key goal of the AHRC project is to ensure that policy makers and designers of legislation are better equipped to appreciate the potential of the current step changes in satellite capabilities, while satellite specialists have a more...
sophisticated understanding of the requirements of the legal community so that future satellite technologies might be developed with a clearer purpose. The project could enable the international and European legal community to address the potential of a new technology as a compliance and monitoring tool in a key area of contemporary regulation, and one that may provide significant public savings and improved outcomes compared to current approaches.

It is hoped that at the very minimum that this research project will advance debate across a large number of end-users, including governments, the European Commission, Secretariats of international treaties, regulatory bodies, academics, international and non-government organisations, donor organisations and the private sector. An international conference is planned to be held in Washington in September 2007, which aims to bring together the key decision makers in this area. To find out more about the project and the proposed conference please look at the project website – http://www.ucl.ac.uk/laws/environment/satellites/index.shtml

Ray Purdy
Centre for Law and the Environment
Faculty of Laws, University College London

The Second Workshop on Space Law and Space Applications
22-23 June 2006

On the 22nd and 23rd of June 2006, the second workshop on “Space Law and Space Applications” was held at the Royal Centre for Remote Sensing (CRTS) in Rabat, Morocco. The first workshop took place in February 2002.

This second workshop was co-organized by the European Center for Space Law (ESCL) and the CRTS. The purpose of the event was to gather space lawyers, engineers and scientists to discuss current space law, both in Europe as well as in Africa, and opportunities to leverage space to increase African involvement in the space sector.

Gathered at the workshop, were some 50 high-level international experts in space law: members of national space agencies, government institutes, research centres and industry.

One objective of the workshop was to bring together leaders of public and private entities, and think-thanks involved in the space sector to discuss in one open forum the opportunities and obstacles for future space activities. The experts discussed the legal aspects that govern spaces activities and debated on space law evolution within the perspectives of the latest technological developments.

Another objective was to think about the need for countries to set up a legal framework to protect their interests on the one hand, and the fact that privatisation and commercialisation are gaining a wider place in various sectors of space activities, which lead to new legal relations and implications on the other.

The conference gave the opportunity to present to participants a large range of legal issues, covering international space law (sources and concepts, United Nations treaties and principles, COPUOS role, actions and members’ relations) as well as national space law. The workshop covered both governmental and commercial issues, such as liability principles, space telecommunication law, satellite broadcasting law, contractual management of risks related to commercial satellites, intellectual property law, or new technologies of information and communication law.

The rich and open discussions at the sessions and round tables were strong indicators of the conference’s success and timeliness. So too was the participation of well qualified speakers, including academics and practitioners, lawyers and non lawyers.

The ECSL is grateful to the Royal Centre for Remote Sensing (CRTS), to its Director, Dr Dris El Hadani, to Mr Riffi Temsamani, and to their team, for their excellent organisation and their hospitality.

Amal Rakibi
Ph.D Candidate/IDEST/Paris-Sud XI

4th Regional IISL Space Law Conference, Bangkok, Thailand
6- 8 August 2006

One of the most remarkable activities of the International Institute for Space Law (IISL) is the gathering of space law conferences at regional level. The 4th Regional IISL Space Law Conference 2006 on “Asian Cooperation in Space Activities: a Common Approach to Legal Matters”, jointly organized by the Ministry of Information and Communication Technology of Thailand and IISL, was held in Bangkok from 6 to 8 August 2006. Prof. Nipant Chitasombat, Founding Director of the Space Law & Policy Centre at the Chulalongkorn University of Thailand successfully arranged this Conference, whose main objective was to promote better knowledge of space developments in Asia, including legal developments. The speakers from Asian countries, such as Thailand, China, Korea, Japan, India, Indonesia, and Singapore, as well as the
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High-resolution Satellite Imagery, was chaired by Dr. Suvit Yodmanee of the Asian Institute of Technology, Thailand and Prof. V. S. Mani (Rapporteur Debarupa Banerjee from India). The discussion paper from Mr. K. Sridhara Murthi of the Antrix Corp. India, was commented by Prof. Sergio Marchisio and Prof. Ram Jakhu. The main conclusion was that the technology developments in the field of remote sensing warrant a harmonised international legal framework to be adopted under an appropriate multilateral forum, such as the UNCOPUOS Legal Subcommittee, to deal with various concerns on access to data, their use, security and privacy issues. At least, if not a revision of the UN Principles non remote Sensing, an urgent debate would be highly beneficial at the international level to discuss matters raised by the use of high-resolution imagery available through space-based remote sensing.

The fourth session on Legal Aspects of Disaster Management: Initial Results and Suggestions for Improvement of the International Charter on Space and Major Disasters, chaired by Prof. Sergio Marchisio and Mr. K. Sridhara Murthi (Rapporteur Ms. Atsuyo Ito, University of Paris XI), was based on the discussion paper presented by Dr. IBR Supancana (Supancana, Suastama & Partners, Jakarta) and commented by Mr. Cihat H. Basocak of the Space Technology Applications Section of the UNESCAP, Prof. Joanne Gabrynowicz, Director of the National Remote Sensing and Space Law Centre at the University of Mississippi School of Law and Prof. Peter Malanczuk, Dean of the School of Law of the City University of Hong Kong. The papers presented and the debate which followed, lead to the conclusion that, without underestimating the current efforts and initiatives, such as the Charter, a better coordination mechanism dealing with disaster management is needed at the international level, within an improved legal framework consisting of binding legal instruments.

The fifth session was devoted to Regional Cooperation in Asia Relating to Space Activities: and chaired by Prof. Paul Larsen and Prof. Cha-ju Cheng, Chairman of the Asian Institute of International Air and Space Law of Taipei and President of Xiamen Academy of International Law (Rapporteur Ms. Wongsuda Supaporn of the Chulalongkorn University). The discussion paper presented by Prof. Sang-Myon Rhee and commented by Prof. Setsuko Aoki of the Keio and Prof. Elisabeth Back Impallomeni of...
the University of Padua was particularly instructive about the initiatives concerning the cooperation in the field of space activities existing at the regional level, without shutting out the difficulties and obstacles that hamper a better coordination.

The sixth and last session was held in form of a Panel on Legal Issues Arising from Space Exploration & Exploitation, chaired by Prof. Vladimir Kopal and Prof. Elisabeth Back Impallomeni. The discussion paper, presented by Prof. Visoot Tuvayanonda of the University of the Thai Chamber of Commerce and commented by Prof. Robert C. Beckman of the National University of Singapore and Prof. Chia-kiu Cheng, touched upon a wide range of legal issues concerning space legal regimes, including from a comparative point of view with Europe and in a perspective de lege ferenda. The Proceedings of the Conference will be published by the McGill Institute of Air and Space Law.

Last but not least, it is to be mentioned the personal engagement of the organisers and in particular of Prof. Nipant Chitasombat, and his collaborators, including the students, who provided all the attendants with an excellent and friendly Thai hospitality in a general atmosphere of festive environment in the year of the longest lasting reigning Monarch of the world’s 60th Anniversary of Reign. This atmosphere was intensely captured by the farewell evening dinner cruise on the river Chao Phraya, which closed the last day of the conference.

Prof. Sergio Marchisio
University of Rome “La Sapienza”,
ECSL Vice-Chairman

ECSL Summer Course on Space Law and Policy
4-15 September 2006

This year, lecturers were asked to interact with students and to encourage discussion and exchange of views among the participants as much as possible. The programme was very demanding since students attended three to four lectures a day and had to work on a case study - “The use of space for scientific purposes: Simulation of an International Call for Tenders”, coordinator: Prof. P. Achilleas, IDEST, Paris XI - to be presented at the end of the course in front of a panel of international experts, among whom were Mr. G. Brachet, UNCOPUOS Chairman and Mr. Ciro Arevalo, Deputy Ambassador of the Colombian Embassy in Austria. The level of the presentations was very high and the students' final works were all interesting and challenging.

Lectures took place at the TV studio at the Erasmus Centre; some presentations were filmed and are now available as video on demand at http://streamiss.spaceflight.esa.int/?pg=production&dn=16&PID=ecsl2006. Students visited the Research and Development facilities of ESTEC, as well as the International Court of Justice in The Hague.

It is worth mentioning that H.E. Judge Vladlen S. Vereshchuetin gave the students an enriching presentation on “Space law and the International Court of Justice”.

The ECSL is grateful to Mr. D. Isakeit, (Head, Erasmus Centre), Mr. M. Sabbattini, Mr. S. Verkek, Mr. M. Bauer (and many more of their team) for their warm welcome and also for the excellent organisation and technical expertise provided over the two weeks. The 2007 ECSL Summer Course will take place at the Queen's College, University of London.
Why should a small, non-spacefarer nation such as Austria pay any particular attention to – or even draft its own national space law? First, because Austria is not so small after all; while representing only 2.3 % of the aggregate population in ESA’s member states, its contribution towards some European space projects and efforts is nearly eight times as high. Second, because Austria is going to join the club of spacefaring nations once BRITE-AE, a small, cubic-shaped satellite designed by professors and students of the Technical University Graz, is launched in 2008.

These statements opened the Conference “National Space Law – Developments in Europe / Challenges for Small Countries”, which was convened in Graz by Professor Dr. Christian Brünner, ECSL NPOC, from the 21st to 22nd September 2006. During the first session, chaired by Assoc. Prof. Dr. Irmgard Marboe of Vienna University, the speakers concentrated on the basis of space law in public international law and the amazing development of space activities which emerged after the adoption of the relevant international instruments which centre around the Outer Space Treaty.

Professor Dr. Elisabeth Back-Impallomeni of Padova University and Dr. Michael Gerhard of the Deutsches Zentrum für Luft- und Raumfahrt (DLR) focussed on the core treaties regulating outer space affairs. The system of authorisation and supervision of, as well as liability for, activities in outer space and of registration of spacecraft launched and used for such purposes invites – and with regard to some of these obligations mandates – national implementing legislation, once a state has become a party to these treaties.

Moreover, as Ing. Harald Posch of the Austrian Research Promotion Agency and Professors Back-Impallomeni and Frans van der Dunk of IISL agreed, “space has changed” and has been commercialised and “privatised”, at least with regard to the key actors: Earth observation, satellite-based navigation and disaster prevention, telecommunication and microgravity experiments, rather than trips to the moon or spectacular interplanetary missions, form the bulk of activities in outer space and bring much closer a once remote subject “for a happy few”. These non-governmental activities had not been expected at such a large a level when the core treaties on international space law were drafted and adopted and add to the need for national legislation, as any state which qualifies as a launching state under the Outer Space Treaty remains both responsible under public international law for the safe and orderly conduct of these activities and liable for any third-party damage which might be caused by such activities. Should there be recourse for liability payments? Should there be a limit for such recourse? Should an insurance for such liability be required from any applicant for a launching authorisation? These questions should be answered by national legislation before a spacecraft is launched.

During the panel discussion on the second day of the conference, moderated by Mag. Alexander Soucek of ESA/ESRIN, Professor Dr. Gerhard Haffer of Vienna University, Member of the International Law Commission, concurred on the latter point: even if the Outer Space Treaty and the other core treaties were self-executing, liability issues would – due to the shift toward private actors – in any case require implementing (and not just supplementing) legislation. Ambassador Dr. Ferdinand Trauttmansdorff of the Austrian Ministry for Foreign Affairs concurred in substance, though not with regard to the preferred approach: the necessity for individual pieces of legislation is not necessarily equivalent to the need for one comprehensive statute; individual amendments of existing statutes (e.g. on the liability issue) could be sufficient. Political consensus might be more easily achieved for the latter than for the former. Dr. Ernst Fasan, Honorary Director of ISL, concurred and pointed out that no specific competence on space affairs was available in the Austrian constitution as a legal basis for comprehensive legislation.

Prof. Dr. Kai-Uwe Schlogl’s contribution (which was presented by his colleague Dr. Michael Gerhard of DLR) explored problems and potentials for legislation at European Union and Community levels. While there still is no genuine competence for the Union in space affairs as such, there certainly are competencies to regulate space-related industrial activities within the Common Market, including competencies for approximation and harmonisation of national laws to these ends (as demonstrated by the 1994 Satellite directive). DI Dr. Stephan Mayer of the Austrian Research Promotion Agency supplemented the legal debate with technical and operational issues calling for legislation.

Niklas Hedman of UNOOSA Vienna and Professor Dr. Frans G. van der Dunk of IISL Leiden, presented the Swedish and Dutch (draft) space laws respectively and explained the key concepts of activities covered and the authorisation, supervision and liability regimes. On the second day, chaired by Jean Monnet Professor Dr. Signmar Stadtmieier of Linz University, Dr Elod Both of the Hungarian Space Office, Professor Dr. Mahulena Hofmann of Max Planck Institute for Comparative Public and International Law (and soon Giessen University) and Ambassador Dr. Kryzysztof Kocel of the Polish Ministry for Foreign Affairs respectively presented the Hungarian, Czech and Polish perspectives. Although formally some countries can rely on constitutional provisions granting direct applicability and supremacy over national law to certain kinds of treaties including the Outer Space Treaty and other core treaties of international space law, implementing legislation may still be required to clarify issues which do not lend themselves to direct implementation. This was highlighted by a debate as to whether air law provisions could be relied upon by way of analogy for registration purposes; it turned out that even Germany provisionally enters satellites into an annex to its aircraft registry (“Luftfahrzeugrolle”), without any particular legal basis for what appears to be a convenient practice.

Professor Dr. Brünner, organiser of the conference, concluded that the need for national space law could hardly be overlooked; the transformation and diversity of space activities however rendered the drafting of comprehensive legislation difficult. BRITE-AE, the Austrian nano-satellite to be launched in early 2008, might not only help in exploring bright stars in outer space but to also serve as a catalyst in the process toward national space law in Austria.

Dr. Signmar Stadtmieier,
Johannes Kepler University, Linz

Conference: “National Space Law – Developments in Europe / Challenges for Small Countries”
21-22 September 2006
Manfred Lachs Space Law Moot Court Competition

The world final of the Manfred Lachs Space Law Moot Court Competition took place at the Tribunal Superior de Justicia, in Valencia, on October 5 during the annual International Astronautical Congress (IAC).

Europe was represented by the team from the University of Leuven, Belgium, and namely by Mr. Gareth Price (agent), Mr. Batist Paklons (co-agent), Mr. Emmanuel De Groof (back-up person). The University of Leuven won the European (regional) round last May.

The case was complicated but the European team well presented its legal arguments in the semi-final against the University of Auckland, New Zealand. Both teams defended their positions with sound legal analysis in passionate pleadings; but eventually, it was the University of Auckland to win not only the semi-final but also the final, against the McGill University, Canada.

To their own credits, the team from the University of Leuven proved to have a solid command of the international legal regime concerning space activities as well as an excellent knowledge of private and public law.

Three Judges of the International Court of Justice were sitting on the panel: H.E. Judge Addul Koroma, H.E. Judge Peter Tomka and H.E. Judge Bernardo Sepúlveda.

As far as the 2007 competition is concerned, you can find the case on the official website of the competition www.spacemoot.org.

Telders International Law Moot Court Competition

1977-2007

The first ever Telders Competition was organised thirty years ago on the occasion of the 30th anniversary of the Telders International Law Students Debating Society created in memory of Professor Telders who became a professor of international law at Leiden University in 1931. His approach to law was a practical one. Problems were meant to be solved, but not in contravention of important legal principles such as the rule of law and civil society.

Due to its success, the competition has been organised annually ever since. Nowadays, it is considered to be the most prestigious and important international moot court competition in Europe.

In the Telders International Law Moot Court Competition student-teams are presented with a fictitious case involving a dispute between two States. This dispute is put before the United Nations’ most important legal organ, the International Court of Justice (ICJ). It is the teams’ responsibility to present the case in a substantial manner, meaning both in writing and through pleadings before moot courts. Each European country may be represented by one university only. In the event of a national pre-selection round, only the university winning the national round may participate in the international round in The Hague.

The 30th edition of the competition will take place on 12-14 April 2007 at the International Court of Justice (ICJ) in The Hague. 45 European countries are invited to participate.

60 Judges will be participating in the semi-finals, more than half of whom travel especially from abroad and 14 Jurors for the Jury for the Best Oralist. The Final Bench will be composed of three judges of the ICJ and the Final will be held in the Great Hall of Justice at the Peace Palace.

The Telders Organizing Office is honored to have amongst its judges IISL and ECSL Board members and members: Prof. Back Impallomeni, Prof. Kopal, Prof. Lyall, Prof. P. Dempsey, Prof. Steven Freeland, Mrs. Tanja Masson-Zwaan, Dr. Frans von der Dunk, Dr. Peter van Fenema, Dr. Olivier Ribbelink, Dr. Martha Mejia-Kaiser, Mrs. Joanne Wheeler, Mr. Stefano Fiorilli and Mr. Thaddée Sulocki.

The ECSL sponsors the event, along with a.o. DLA Piper Rudnick Gray Cary, London; the Board of Leiden University, the Grotius Centre for International Legal Studies; Leiden University/Campus The Hague; the Cities of The Hague and Leiden; the Embassy of Switzerland in The Hague; l’Institut Français des Pays-Bas/Antenne de La Haye; the International Space University (ISU); the International Institute of Air and Space Law (IIASL), Leiden University; Eleven International Publishing; European Space Agency (ESA) Publications Divisions, Noordwijk, the Netherlands.

For more information:
Ms. Axelle Cartier, LL.M. (adv.), Director, Telders Organizing Office, Lange Houtstraat 7, 2511 CV The Hague, the Netherlands, Tel: +31-70-302 1025, Fax: +31-70-302 1025 telders@campusdenhaag.nl www.telders.leidenuniv.nl or www.telders.org
2007 Practitioners Forum: "Consolidation of the European Space Industry: Legal Aspects"
27 April 2007

As usual, in the spring of 2007 the ECSL Practitioners’ Forum will be organised at ESA Headquarters in Paris. This time, the Forum will deal with major developments going on within the European space industry environment, relating in particular to the restructuring and consolidation on a corporate level, where we have seen and are still seeing a movement of convergence, joint venturing, takeovers and statutory consolidation. From a legal perspective, this raises some serious legal issues, e.g. under international space law and the UN treaties as to the nationality of companies and consequent responsibilities for states to exercise jurisdiction and control or to register with the UN; under the ISS arrangements on the state whose "related entity" a company now should be deemed to be; under the ESA legal regime with regard to such issues as fair return; and under the EC legal regime as to competition. An interesting example of the latter would concern the concession bid for the Galileo operator, which finds at the end just one mega-consortium, combining most of the major players into one, negotiating with the public authorities. Finally, there might also be some transatlantic issues related to US-European cooperation and joint ventures, as well as cooperation with other states, which should be investigated and discussed. Please revisit the ECSL website soon for more details, such as the date, provisional programme and registration form.

Prof. F. von Der Dunk
University of Leiden

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**European Centre for Space**

**Election Guidelines 2007**

1. **PURPOSE**

The purpose of these principles is to implement the ECSL Charter (Article 5.2) for the election of the Board Members at the occasion of the 2007 General Meeting of the ECSL Assembly.

2. **PRINCIPLES**

A Board shall be established. The Board will consist of 10 Members (9 to be elected, and the ESA Representative, nominated by the ESA director General, (art. 1.1, art. 5.2, ECSL Charter) and will be elected for a period of two years. The composition of the Board shall reflect the space law community in Europe. The ECSL Board shall represent all the space professional (public, private, and university) sectors and an equal geographical distribution of ECSL Members and ESA Member States. The Board will assist the Chairman in the conduct of the Centre’s work.

3. **ELECTION PROCEDURE**

3.1 The election of the Board shall be conducted in written form prior to the General Meeting of the ECSL Assembly.

3.2 The election process starts officially January 15th, 2007, and will follow the herewith enclosed calendar as far as deadlines are concerned.

3.3 Before the 9th of April 2007, Members of the ECSL shall nominate the candidates for the Board. In those countries where an ECSL National Point of Contact exists, the nominations shall be channeled to the ECSL via the relevant NPOC. If this is not the case, the nomination shall be sent directly to the ECSL Secretariat within the due terms.

3.4 A candidate for the Board must be an ECSL Member and must have been nominated within its NPOC, where there is one, or by three ECSL Members. ECSL Members shall refrain from supporting more than two candidates. The candidate will provide the list of his/her references to the ECSL Secretariat at the latest on the 9th of April, 2007.

3.4.a A candidate is not allow to support (i.e. sign as referee on the nomination form) of the candidature of somebody else.

3.4.b The nominator should refrain from signing more than two nomination forms.

3.5 The secretariat shall draft a list of all candidates who have been duly nominated and will circulate this list, along with the voting form, to all ECSL Members before the 30th of April, 2007. The list of Candidates and the voting form will be also published on the ECSL website www.esa.int/SPECIALS/ECSL/ under the page "ECSL Board".

3.6 Each ECSL Member has the right to vote for nine (9) candidates, among which he may not vote for more than two candidates of the same nationality.

3.7 Members shall return the voting forms to the ECSL Secretariat. Voting forms shall be received before the 11th of June, 2007, by fax or by mail. Voting forms received after this date will not be considered.

3.8 The Secretariat will make a list of the candidates and will rank them according to the number of votes they have received. The first nine persons of the list with the highest number of votes will be elected as Board Members.

3.9 In the case that, due to equal votes, more than ten candidates are entitled to be elected for the Board, the General Meeting will elect
among the candidates eligible for the lowest rank in the Board the candidates for the open seats. The Members with the highest number of votes will be elected. In case of equal votes from the General Meeting of the ECSL Assembly, a second round of voting will be held.

If the General Meeting of the ECSL Assembly cannot come to a decision, the Chairman will appoint, according to the principle of geographical and professional representation, the last Board Member(s).

3.10A maximum of two candidates per nationality can be admitted to the Board. Should more than two candidates from the same nationality be elected, the two candidates who obtained the highest number of votes will be elected. Should two or more candidates obtain an equal number of votes, the procedure provided for in 3.7 shall be followed.

3.11The Chairman at the General Meeting of the ECSL Assembly will announce the composition of the elected Board.

3.12The Chairman, upon recommendation of the Board, may appoint an ECSL Member to any seat left vacant between two General Meetings of the ECSL Assembly.

3.13All those eligible to vote and to stand for election must be registered as an ECSL Member at the ECSL Secretariat and must have fulfilled the annual dues for ECSL membership.


- 9th April 2007: Deadline for nominating candidates and for sending back to the ECSL Secretariat the candidates' Nomination Form and Curriculum Vitae.
- 30th April 2007: The ECSL Secretary will draft the list of candidates and will send this list together with a voting form to all ECSL Members, not later than this date. The list of Candidates and the voting form will be also published on the ECSL website www.esa.int/ SPECIALS/ECSL/ under the page "Elections":
- 11 June 2007: Deadline for sending back to the ECSL Secretariat the Voting Forms. Voting Forms received after this date will not be accepted.
- June 2007 (date to be determined): General Meeting of the ECSL Assembly and announcement of the vote results.

You are kindly invited to regularly check the ECSL website (www.esa.int/SPECIALS/ECSL/) for update information on the election process.

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**5th Space Conference of the Americas, Quito, Ecuador, 24-28 July 2006**

The European Space Agency and the European Centre for Space Law attended as observers the 5th Space Conference of the Americas. The theme chosen for the Conference was “regionally coordinated decision-making on space matters for security and human development.” Within this framework, the conference particularly discussed the space law, education and access to knowledge, the prevention of natural disaster, etc. The ECSL representative, Ms R. Caparros, made a presentation on ECSL, its “mini site”, describing the ECSL virtual network related to Latin American and Caribbean countries. The presentation was very well received and questions were raised from the audience. The ECSL representative also had the opportunity to express views on the teaching of space law and ECSL experience, views mentioned in the Declaration and Action Plan adopted by the Conference (referring explicitly to the ECSL).
APPLICATION FOR ECSL MEMBERSHIP 2007

Time has come to renew your annual membership (i.e. from 01/01/2007 to 31/12/2007) in order to allow the ECSL carry out its tasks and be active in the space sector.

Please, fill in the form below and send it to (before the end of February 2007):

ECSL Secretariat (Ref.: Membership)
C/o ESA, 8-10 rue Mario-Nikes, F-75738 Paris Cedex 15, France
Tel.: +33 (0)1 53 69 76 05
Fax: +33 (0)1 53 69 75 60
Email: alberto.marchini@esa.int

Name .................................................................

Firm/University/other .............................................

Address ....................................................................

Phone ......................................................................

Fax .........................................................................

Email .......................................................................

I accept the principles contained in the ECSL Charter of 12th May 1989 as subsequently amended by the General Meetings of the ECSL Members (20 June 2005).

This form has to be accompanied by the payment of the following membership fees:

• Students: 20 euros
• Other individual members: 40 euros
• Corporate members: 200 euros

I hereby apply for membership as:

☑ Student
☑ Other individual member
☑ Corporate member

I enclose my payment by (no cash)

☑ Bank check made out to ESA/ECSL
☑ Bank transfer to Barclays Bank, Agence Segur, compte 01484830189, RIB 96, Guichet 62019, Code Banque 30588, Att. ESA/ECSL

IBAN: FR76 3058 8620 1901 4848 1018 996 BIC: BARCFRPP

Date .............................................. Signature ............................................

ECSL News N° 34, November 2006
2007 Calendar of Major Upcoming Events

For regular updates, check the ECSL website www.esa.int/SPECIALS/ECSL

Manfred Lachs Space Law Moot Court Competition:

Friday 12 January 2007
Registration Deadline
Friday 2 February 2007
Deadline for Requests for Clarifications to the Moot Problem
Friday 26 February 2007
Deadline for Submission of Memorials

12-23 February 2007: Forty-fourth session of the Scientific and Technical Subcommittee of the Committee on the Peaceful Uses of Outer Space, Vienna, Austria

26 March-5 April 2007: Forty-sixth session of the Legal Subcommittee of the Committee on the Peaceful Use of Outer Space, Vienna, Austria

27 April 2007: ECSL Practitioners Forum: “Consolidation of the European Space Industry: Legal Aspects’ at the ESA premises in Paris

April-May 2007: Manfred Lachs Space Law Moot Court Competition / European rounds; dates and place to be announced

April/May 2007: New Trends in International and European Law of Electronic Communications, Athens, Greece; contact point: Mr Vassilis Cassapoglou (vassilis.caaspoglou@otenet.fr)

May-June 2007: UNESCO-COMEST/ECSL/ESA/Université Paris XI Conference "Legal and Ethical Aspects of Space Exploration", House of UNESCO, Paris, France; to register and receive information material, contact the organisers at: conference2006@idest-paris.org

6-15 June 2007: UN Committee on the Peaceful Uses of Outer Space (COPUOS), Vienna, Austria, Fiftieth Session

29 June: ECSL Biennial General Assembly, ESA premises in Paris (to be confirmed)

3-15 September 2007: 16th ECSL Summer Course on Space Law and Policy, Queen’s College, University of London, United Kingdom

24-28 September: 38th International Astronautical Congress, Hyderabad, India;
16th World Finals of the Manfred Lachs Space Law Moot Court Competition;

October 2007:
59th International Astronautical Congress – Valencia, Spain;
16th World Finals of the Manfred Lachs Space Law Moot Court Competition;

A simple e-mail to keep us informed!

Dear ECSL Members, we kindly ask you to promptly send us an e-mail (alberto.marchini@esa.int) whenever you change your address or contact details.

In this way, you will help us to keep the ECSL database always updated, avoiding envelopes to be returned to us and therefore, reducing our expenditures.

Thank you!
The ECSL would like to take this opportunity to express to all its members best wishes for the coming festivities and a happy new year!!!