



## Core Lecture Study Notes Guidelines for lecturers

### 1. Objectives

The objectives of the Study Notes are:

- To provide optional reading in advance to registered students whose specialty is not in the field of the lecture (material will be made available online in PDF format)
- To provide study material for non-native English speakers in preparation for the exam (the core textbook, *The Farthest Shore*, may be too much reading for some students)
- To help other lecturers and speakers coming later into the program to build on the material already covered, thus avoiding repetition or gaps.

### 2. Format and length

The full document should not exceed a **maximum of 2 pages**, including the abstract, the explanation of the key concepts, any diagrams, and references for further reading. **A sample is attached.**

Please note that all core lecture slots are scheduled in the morning, with a time limit of 60 minutes per lecture allowing for 50 minutes of lecture with 10 minutes for questions.

### 3. Copyright

The policy for lecturers in the program is that, subject to the rules and policies of the lecturer's employer, those lecturers will retain intellectual property rights in all documents, materials or presentations authored by him/her and used in his/her capacity as an invited lecturer. The lecturer expressly authorizes the ISU and UniSA to use these materials for the purposes of the program. This authorization concerns reproduction/printing/electronic distribution of read-only versions of said documents and, more generally, all usage of the materials that could directly or indirectly be linked to a program activity. All of our participants sign an undertaking that they will use any materials they are provided solely for their own study and will not reproduce them for commercial purposes, in part or in full, without your permission.

## Core Lecture Study Notes (SAMPLE)

**Lecture Title:** Origins and Principles of International Space Law

**Lecturer Name:** Michael Davis (with acknowledgement to Dr Lucy Stojak)

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### **Abstract/goal of the lecture:**

This lecture will examine the origins and role of international law in the regulation of space activities. It will review the basic principles of international space law as embodied in the Outer Space Treaty and will describe the other four United Nations space law treaties and their application to space activities. The law-making process and international institutions involved in this process will also be discussed. Consideration will be given to the extent to which the principles and rules of international space law are appropriate to current and future space activities.

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### **Sources of international law.**

The main sources of international law are treaties and custom:

- Rules contained in **treaties** are mandatory for States that have accepted to be bound by them.
- A **custom** is a general practice accepted as law. No State can deny the existence of the rule, except if a State has consistently refused to recognize it and has objected to its applicability as against it.
- A **resolution** is a document adopted by an international organization. Resolutions are divided into recommendations (non binding) and decisions (binding).

**COPUOS.** The Committee on the Peaceful Uses of Outer Space (COPUOS) is a permanent committee of the United Nations. It takes decisions by consensus. Its Legal Subcommittee has played a key role in the drafting of the five international space law treaties and four sets of Principles.

### **The five space law treaties are:**

- **The 1967 Outer Space Treaty**
- **The 1968 Rescue and Return Agreement**
- **The 1972 Liability Convention**
- **The 1976 Registration Convention**
- **The 1979 Moon Agreement**

**Key Concepts:**

**Non-appropriation of outer space.** Outer space, including the moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means. The non-appropriation principle constitutes a fundamental difference between outer space and airspace.

**Freedom of outer space.** Outer space shall be free for exploration and use by all States. The exploration and use of outer space shall be carried out 'for the benefit and in the interest of all countries' and with due regard to the interests of others.

**Peaceful purposes.** The Outer Space Treaty prohibits the placing in orbit around the Earth of any object carrying nuclear weapons or any other kinds of weapons of mass destruction, the installation of such weapons on celestial bodies, or the stationing of such weapons in outer space in any other manner. Outer space can be used for military purposes, but only non-aggressive uses.

**Astronauts.** Astronauts are envoys of mankind in space. States shall render to them assistance in case of accident, distress, or emergency landing including safe and prompt return to the State of registry of their space vehicle.

**State responsibility.** The State is responsible for the activities of its private sector entities and must ensure compliance of the activities of its private sector entities with international treaty obligations. Most often, States choose to fulfill their obligations of 'supervision and control' by adopting legislation, regulations and licensing procedures.

**Liability for damage caused by space objects.** Launching States are internationally liable for damage caused by space objects. If damage is caused by the space object on the surface of the Earth or to an aircraft in flight, the liability to compensate is absolute (regardless of the proof of its fault). If damage is caused to another space object in space, the launching State is only liable if the damage is due to fault on the part of the launching State or its nationals.

**Other sources of Space Law:****Non-binding Resolutions of the UN General Assembly:**

- Legal Principles Governing the Exploration and Use of Outer Space 1963
- Principles of Direct Broadcasting by Satellites 1982
- Remote Sensing by Satellites 1986
- Use of Nuclear Power Sources in Space 1993
- Space Exploration and Use and the needs of Developing Countries 2000

**Cooperation agreements by States, International Organisations and Space agencies**

- e.g. the International Space Station Cooperation Agreements

**Conventions of the ITU, Intelsat, Inmarsat, ESA etc****National Space Laws**