

SPACE LAW AND POLICY  
WITH SIMULATED NEGOTIATIONS  
[1]

OVERVIEW OF THE COURSE  
+ HOW TO RESEARCH

11 APRIL 2016

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## SPACE NEWS

Videos related to International Space Station

Japan's Kounotori (2015/8)

<https://www.youtube.com/watch?v=bAWo0HjUyOc>

April 8

US Private Company Space-X

Falcon 9 succeeded its landing

<https://www.youtube.com/watch?v=RPGUQySBikQ>

## GOAL 1

”To learn how to learn **by yourself**“

◆ Research

Identify exact source of information when you face a new topic

◆ Analysis

Keep a good balance in interpreting the information for your theme

◆ Theory Structure

Pick up appropriate materials and place them in good order

◆ Presentation

Pay attention to color, design, and font for audience to understand

## GOAL 2

”To learn how to negotiate in English“

◆Pronunciation

Use English heard/understood in international venue/conference

◆Speed

Adjust your speed of speaking English to non-English speakers

◆Expression

Clarity

◆Perspective

Identify how to be understood by the others

## TIME SCHEDULE

《15:10~16:40》

15:10 ~ 15:20 This week's space news

15:20 ~ 16:00 Lecture (40 min)

16:00 ~ 16:20 Group discussion

16:20 ~ 16:40 Group presentation

## OTHERS

- ◆ You can use your laptop during this lecture.
- ◆ Please submit the sheet of attendance with question or comments.
- ◆ HP: [spacelawnotebook.com](http://spacelawnotebook.com)

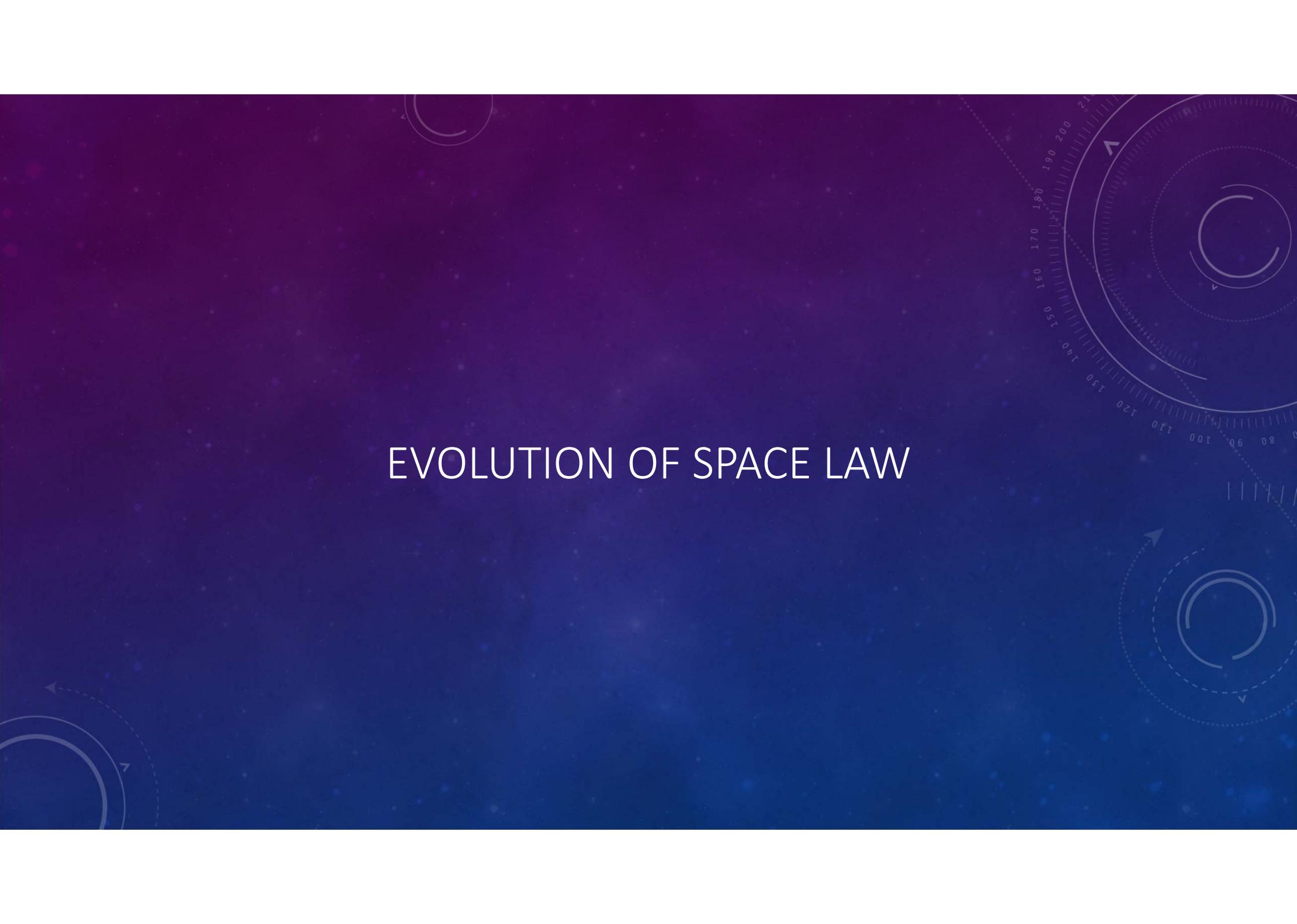
「Courses」

Q&S: Question and Comments are welcome. Answer would be on the website.

If you do not want to upload your Q or C, please put it on the sheet.

Materials: If password is required, put 「spacelaw」.

- ◆ JAXA Sponsorship for IAC/IISL Participation (Deadline: April 27)



# EVOLUTION OF SPACE LAW

# 1. INTRODUCTION

## ① WHAT ARE SPACE ACTIVITIES?

### ◆ 3 Categories

**Civil** Uses (example: Apollo, Hayabusa)

**Commercial** Uses (example: space tourism)

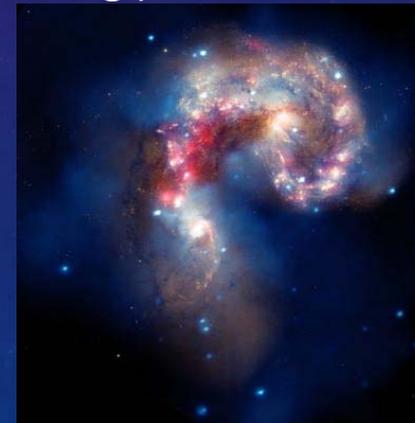
**Military** Uses (example: information gathering )

### ◆ Nature of Space Technology

“**Dual Use**” which is usable for  
civil and military purposes



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# 1. INTRODUCTION

## ② THE RIGHTS UNDER THE OUTER SPACE TREATY OF 1967

### ◆ Free Use of Outer Space

(example) The use of satellites for:

- earth observation
- astronomy
- telecommunication
- navigation



### ◆ Free Exploration of Outer Space

(example)

- US Apollo Projects
- Japan Hayabusa
- US/EU Mars Exploration



### ◆ Free Access to Outer Space

(example) Launching activities  
(manned/unmanned)

## 2. INTERNATIONAL SPACE LAW?

### ① BACKGROUND: EVOLUTION OF AIR LAW

1902 International Law Association in Brussel

The need to regulate **Balloon Flight** was recognized

1903 Wright brothers succeeded a flight of powered aircraft

1909 Loise Blériot succeeded to cross the English Channel

1910 **International Air Navigation Conference** was held in Paris (18 states)

→ Legal relations between air space and outer space was not agreed

1919 The Paris Convention was concluded → **Air sovereignty** was recognized.

## 2. INTERNATIONAL SPACE LAW

### ② BACKGROUND: THE BIRTH OF V2 MISSILE

- ◆ During IIWW, Germany developed and used V2 missiles (rockets)
  - Inter-Continental Ballistic Missiles (ICBMs)
  - more than 1300 ICBMs attacked London
- ◆ Technology Transfer after IIWW: to US and USSR
  - Cold War started with an arms race in outer space
- ◆ Space Competition by Super-Powers
  - 1957-1958 International Geographical Year
  - 1957 Soviet Union succeeded to launch the first satellite, “SPUTNIK-1”
  - 1958 Ad hoc **Committee on the Peaceful Uses of Outer Space** was established in UN
  - 1961 Soviet Union succeed to send a man (Yuri Gagarin) by Vostok-1
    - ⇒ Legal order became necessary in outer space

## 2. INTERNATIONAL SPACE LAW

### ③ ESTABLISHMENT OF UNCOPUOS

- ◆ 1959 UN Committee on the Peaceful Uses of Outer Space was established (× ad hoc)
- ◆ Schedule
  - Feb. Scientific and Technological Sub-Committee
  - April Legal Sub-Committee
  - June UNCOPUOS
  - Oct./Nov. Submit the UNCOPUOS report to the 4<sup>th</sup> Committee of UN General Assembly
    - UNGA Res. “International cooperation in peaceful uses of outer space”
- ◆ 77 member states + 30 international organizations
- ◆ Consensus Principle
- ◆ Issues to consider: Issues related to peaceful uses of outer space
  - (UNCOPUOS cannot deal with the issues related to military uses of outer space)
  - Conference on Disarmament (non-UN organization)

## 2. INTERNATIONAL SPACE LAW

### ④ SOURCES

- ◆ Treaties:
  - 1967 The Outer Space Treaty
  - 1968 The Rescue Agreement
  - 1972 The Liability Convention
  - 1975 The Registration Convention
  - 1979 The Moon Agreement
  
- ◆ Principles:
  - 1963 The Declaration of Legal Principles
  - 1982 The Direct Broadcasting Principles
  - 1986 The Remote Sensing Principles
  - 1992 The Nuclear Power Sources Principles
  - 1996 The Space Benefit Declaration

### 3. WHAT IS SPACE POLICY?

- ◆ National policy (= direction) concerning outer space activities
- ◆ Functions: (example)
  - Fostering international cooperation
  - Facilitate making national space law
  - Enhancing transparency in outer space activities
    - that serves for confidence-building
  - Creating space industry



# HOW TO RESEARCH SPACE LAW AND POLICY

# SOURCE OF INFORMATION

① BOOKS

② Journals

③ Websites of:

UN Office for Outer Space Affairs (or other International Organization)

National space agencies or related departments

NGO            Example : Congressional Research Service

Arms Control Association

# WHAT ELEMENTS NEED TO BE CONSIDERED?

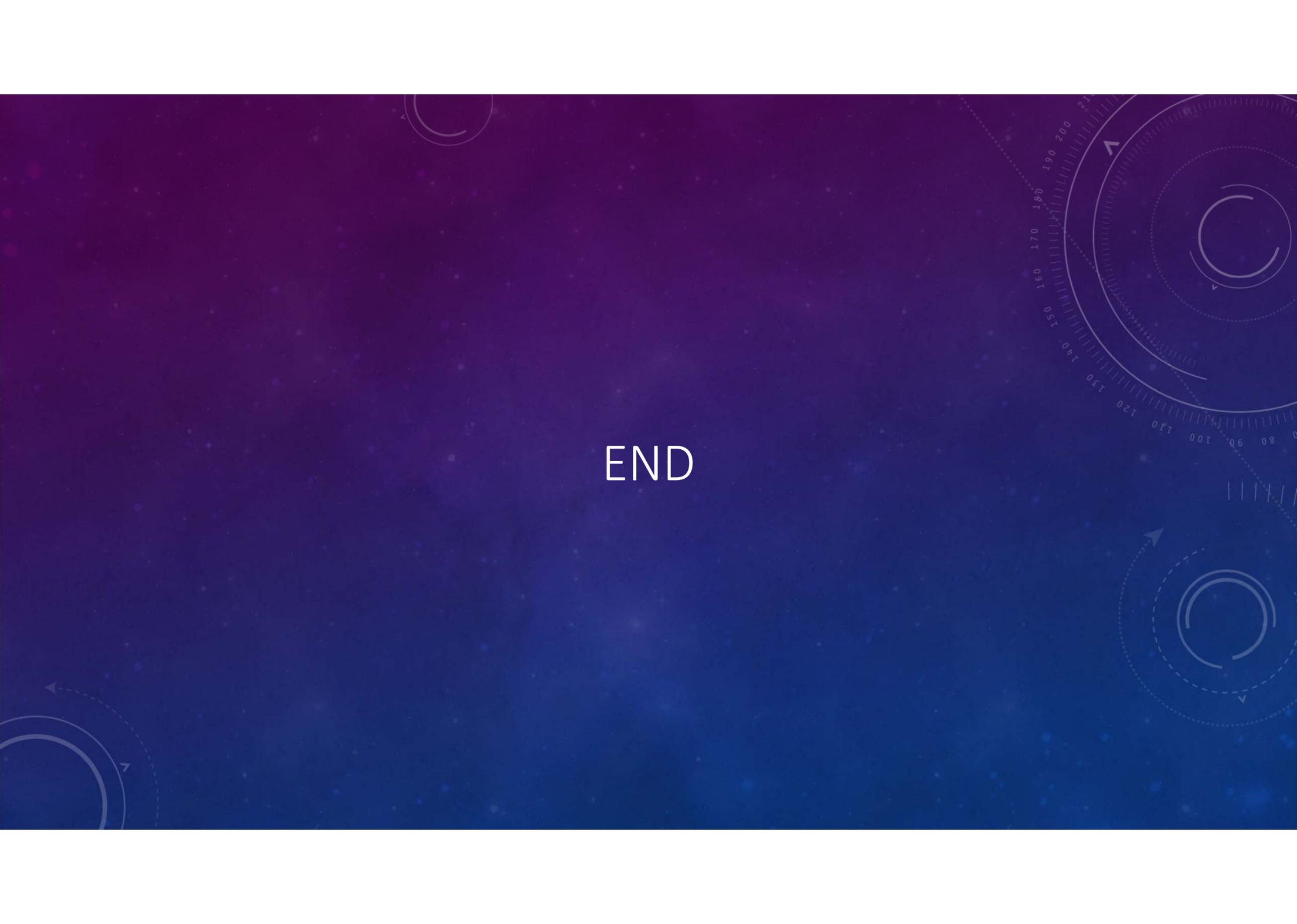
In order to obtain an overview (identify benefits and problems) of a state's space activity, the following elements need to be considered:

- ① National space policy → **Purpose** in outer space activities  
(check also a goal of National Strategy)
- ② National space law → Legal instruments to achieve the goal (means)
- ③ Relevant departments/agencies → Their **goals** and **roles**
- ④ Space programs (**Civil / Commercial / Military**) → Which is prioritized?
- ⑤ **Budgets** → increasing ? decreasing ?
- ⑥ Partners for space cooperation → Which state?

## NEXT WEEK'S THEME FOR SIMULATED NEGOTIATIONS

**“What are benefits and problems  
if ALL states carry out outer space activities?”**

- ① Please choose Group A (Advanced States) and Group B (Developing States)
- ② You need to consider the followings:
  - Space technology is dual-use.
  - While the number of UN member states is 193 states,  
only 9 states possess full space launching capabilities.  
(US, Russia, EU, Japan, China, India, Ukraine, Israel, Iran)
- ③ Please decide group leaders.



END