

## **ILA Space Law Committee**

The Committee submitted its III Report on the *Legal Aspects of the Privatisation and Commercialisation of Space Activities* to the Seventy-Third Conference of the ILA (Rio de Janeiro, 17-21 August 2008). It focused on Remote Sensing (RS), National Space Legislation (NSL), Registration Issues, New Developments on Space Debris and Dispute Settlement related to Space Activities. The presentation of the Report was followed by a stimulating debate where not only Committee members, but also members of other ILA Committees attending the Conference, as well as the general public, voiced their thoughts at the Rio working session of the Committee.

Shortly after the Rio Conference the Committee Chair and the General Rapporteur became involved in the preparation of the IV Report on the above topics for submission to the 74<sup>th</sup> ILA Conference to be held in The Hague on 15-20 August 2010. The Draft Report will be circulated to members in early 2010 for further comments, ideas and additions. As customary in the working method of this Committee, the General Rapporteur continues the analysis of NSL and is currently involved in the elaboration of a model agreement on the subject, based on a deep study of domestic laws in the field in various countries (both industrialised and developed).

The Chair is addressing the state-of-the-art and legal issues underlying remote sensing activities in light of the 1986 UN Principles on the subject to determine whether they are still consistent in the new international and regional scenarios. The main objective is to streamline the validity of these Principles and whether, in fact, they are reflecting customary international law. Or, rather, if state practice reveals that the Principles are being observed. Special reference is made in one of the chapters to the yet unresolved issue of *Satellite Data in International and National Litigation* and its value as evidence in court, particularly where boundary disputes are concerned.

Likewise, the Chair is further examining the legal aspects of space debris, a topic kept under permanent review by this Committee since the adoption of the 1994 *International Instrument on the Protection of the Environment from Damage caused by Space Debris* adopted by the Sixty-Sixth ILA Conference (Buenos Aires 1994) to establish whether any adjustment should be introduced thereto for its consistency with the current world context. Space debris is now being reviewed in new light by the ILA Committee having in mind that, in 2008, the UN Legal Subcommittee of COPUOS (LSC) finally included the question on its agenda as a single item for discussion. Furthermore, the 1997 *UN Guidelines on Space Debris Mitigation*, and the response of States to the directives contained therein, are added elements of considerable importance in the context of the IV Report of the ILA Committee to the forthcoming Hague Conference.

The ILA Committee was represented by its officers at the 48<sup>th</sup> Session of the United Nations Legal Subcommittee (22 March - 1 April 2009). In this framework the Chair submitted a Report (published in written form in Doc. A/AC/C.2/L.275, pp.8-17) reflecting the contribution of the ILA to the development of space law and made an oral presentation to the LSC explaining results of the ILA work on the subject during the past twelve months.

In addition to the above-mentioned topics addressed by the ILA Committee in its Report to the Rio Conference, a word was introduced on the threats and legal implications of NEOs (near-Earth natural objects) with a view to including the topic in its future work.