INR 4404
SPACE LAW

Dr. Robert L. Bledsoe
11:30-12:20MWF
Psy 106
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OFFICE: Phillips Hall 312
OFFICE HOURS: 9:00-10:00MWF;
1:00-2:30MWF(or by appointment)

COURSE OUTLINE

1. Description and Purpose of Course. This course in space law is an examination of the legal regime of outer space from both international and national perspectives, with the objective of acquainting the student with the legal problems which have arisen or are likely to arise out of human activities in outer space. The scope of the course will be a blend of international space law and the national space laws of those nations presently active in space, including global, regional, and national institutions involved in this area. The methodology will be historical, institutional, policy, and legal analysis from public international law and comparative private international law (conflict of laws) perspectives. While useful to students desiring to go on to law school or graduate school, the primary purpose of the course is to provide the basic tools for any student to better understand the legal influence upon human scientific, military, and commercial activity in outer space.

2. Course Requirements. The course will consist of a series of lectures focusing upon the topics and issues outlined in Section 5. You are encouraged to ask questions, inject personal observations, and challenge the assertions of the professor. Attend all class meetings. While no formal record of attendance is kept, you will find that failure to attend class will soon be reflected in your course performance, as lecture material will often not be found in your reading assignments. Read and master the material in the assignments that follow in Section 5. These are found in the textbook for the course:

Yanal Abul Failat and Anel Ferreira-Snyman (eds.), *Outer Space Law.* Globe Law and Business Ltd. 2017. ISBN 9781911078197

This are the only textbook required for the course. Reading the assignments and keeping up with the lectures is your responsibility. No specific pages of reading will be given from one lecture to another. Pace yourself according to the topics under consideration during lecture periods.

Outside Readings. There will be additional readings for you to absorb throughout the course. These are either links in Section 5 or are attachments in our web page Announcements.

Moot Court Exercise. You will have the option of writing an essay analysis of the problem laid out in the latest Manford Sachs Moot Court Competition (attachment is in our web page Announcements). This will take the place of a midterm exam (see Section 3 of the syllabus). Look it over and decide if you want to opt in or out of this option. All the materials needed to complete the exercise will be available by the time it is due. You will need to hand in your paper no later than **Friday, Nov. 16th** (although you may certainly do so before that date). I will not accept it after that date.

3. Examinations. There will be four examinations during the course. All will consist of short answer questions dealing with legal concepts, principles, points of law, hypothetical situations, themes, and case identification and briefing. The last examination is not cumulative. Each exam will cover that portion of the material outlined in Section 5. Midterms are tentatively scheduled as follows and will be held at the normal class time and meeting place:

Monday, September 17
Friday, October 12
Monday, November 5

The final examination (fourth midterm) will be held at the normal class meeting place from **10:00-12:50** on **Wednesday, December 5**. Please provide me with four (4) examination booklets ("blue books") at your earliest convenience. They can be purchased at the Bookstore and will be used to write your answers on exam days. **Attendance at examinations is mandatory. There are no makeup examinations save in the case of medical emergencies, for which a doctor's written excuse is required. I'm not talking about "I don't feel good" or "I have a headache".** In addition, after the first person has turned in their exam and left the room, no one who is tardy and arrives after that time will be allowed to take the exam. They will have missed the test. Once I hand out the test, no one is allowed to leave the room until they have completed the exam (i.e., don't drink a lot of coffee before coming for an exam).

4. Grades. There are five possible grades for the course:

Exams	(4 x 25%)	= 100%
Moot Court Exercise		= 25%

Each student must have four grades to equal 100% of the course. You may take all the exams and opt out of the Moot Court exercise; do the 3 midterms and the optional project, skipping the final midterm; do all exams and the optional project – dropping the lowest grade. Be very careful how you decide upon your options, as there are no makeup exams (either midterms or final) except as noted above. If you miss a test, you have dropped your lowest grade already. In no case is it wise to miss the first examination. Make your vacation plans for after finals week.

Letter grades:	90-100	= A
	80-89	= B
	70-79	= C
	60-69	= D
	<60	= F

(NOTE: there will be no +/- grades)

5. Assignments. (pages in textbook)

I. International Law Governing Outer Space Activities (1-14)
   A. International law
      a. public international law (types, sources, principles)
      b. United Nations Charter
   B. International space law
      a. definitions
      b. introduction to the field

"Space Laws – What Laws are There in Space?"
https://www.youtube.com/watch?v=-s3j-ptJD10
"Space Law" https://www.youtube.com/watch?v=ADTg5CfNNUA

UN Audiovisual Library of International Law www.un.org/law/avl
1. "Introduction to International Space Law" Dr. Gerardine Goh Escobar
2. "The Law of Outer Space in the General Legal Field (Commonalities and Particularities)" Judge Vladlen Stepanovish Vereshchetin
3. "The Progressive Development of International Space Law by the United Nations" Mr. Vladimir Kopal

c. Treaties (refer to the *International Space Law: United Nations Instruments* attachment in our web page Announcements) and the video "Space Law" https://www.youtube.com/watch?v=dIfW59X46FQ
   1. Outer Space Treaty (1967)
   2. Return of Astronauts Agreement (1968)
   3. Liability Convention (1972)
   4. The Registration Convention (1975)
   5. Moon Treaty (1979)
d. International Telecommunications Union
e. International Export Controls
f. Soft law instruments – difference between hard law and soft law (read the attachment in Announcements "The relevance of hard law and soft law in the further development of space law" by Prof. Tanja Masson-Zwaan before the 10th UN Workshop on Space Law) and the Declarations in the *International Space Law: United Nations Instruments* attachment in our web page Announcements

II. National law governing outer space activities (15-27)
   A. Role of national space law
      a. framework treaties versus specifics
      b. monism versus dualism
      c. bases of jurisdiction
   B. International efforts to encourage development of national space law (read the International Law Association Model Law on National Space Legislation xxxxxxxxxxxxxxxxxx)
      "Jurisdiction and Control over Space Objects" Dr. Gerardine Goh Escobar www.un.org/law/avl

III. European law governing outer space activities (29-42)
IV. Delimitation of Outer Space and Earth Orbits (43-59)
   a. https://www.youtube.com/watch?v=QQbHvIj9isA University of Kent lecture (is his proposal the answer?)
V. Property and Ownership in Outer Space (55-94)
   a. "Non-Appropriation and Sovereignty of Outer Space" Dr. Gerardine Goh Escobar www.un.org/law/avl
   b. "Who Owns Space? A Primer on Space Law" https://www.youtube.com/watch?v=OpC7Aa3sOOY
VI. Military Activities in Outer Space (95-118)
   a. "The International Law Relating to the Military Use of Outer Space." Dr. Gerardine Goh Escobar www.un.org/law/avl
VII. Licensing Private Outer Space Activities (119-140)
   a. "Private Space Series – Space Laws" https://www.youtube.com/watch?v=ibf_IKUGoyk
   b.
VIII. Insuring Outer Space Activities (141-162)

a. "Human Spaceflight and International Space Law" Dr. Gerardine Goh Escobar www.un.org/law/avl
b. "State Responsibility and Liability in International Space Law" Dr. Gerardine Goh Escobar www.un.org/law/avl
c.

IX. Regulation of Artificial Satellites (163-177)
a. "Satellite Applications and International Space Law" Dr. Gerardine Goh Escobar www.un.org/lawe/avl
b.

X. Regulation of Remote Sensing Activities (179-202

XI. Regulation of the Space Tourism Sector (203-242)
a. "The International Law Applicable to Space Transport Operations and Traffic Management" Dr. Gerardine Goh Escobar www.un.org/law/avl
b.

XII. The Exploitation of Natural Resources in Outer Space (243-255)
a."The International Law Relating to Space Resources, Space Assets, and Knowledge Management in Outer Space" Dr. Gerardine Goh Escobar www.un.org/law/avl

XIII. Environmental Responsibility for Space Debris (257-283)
a. "Space Activities and the Protection of the Earth and Outer Space Environments" Dr. Gerardine Goh Escobar www.un.org/law/avl
b.

XIV. International Trade Aspects of Outer Space Activities (285-305)

XV. Intellectual Property Law in the Context of Climate Change (307-322)

XVI. Cyber Operations in Outer Space (323-333)

XVII. Evidence from Space in Cases before International Courts and Tribunals (335-345)

XVIII. Dispute Resolution (347-366)
a. "The Settlement of Disputes Relating to International Space Law" Dr. Gerardine Goh Escobar www.un.org/law/avl

Ancillary Issues
Hypersonic vehicles
Solar power
Nuclear powered vehicles

---First Midterm (9/16)---

---Second Midterm (10/14)---
Note: withdrawal deadline is 10/26

---Third Midterm (11/4)---

---Final exam (12/9)---

WELCOME TO SPACE LAW AND MAY YOU HAVE
A SUCCESSFUL FALL SEMESTER

Some ground rules:

(1) **Classroom**
-no food or drinks (water is ok)
-no smoking
-turn off electronic devices (you may use a laptop or a tape recorder)
-if you are late, please come anyway but try not to be disruptive when entering the room

(2) **Communications**
-feel free to email me[best to cc me at both addresses]
-call me at the office but not at home
Main Campus (407-823-2608)
-see me during office hours

(3) **Exams**
-if you are late on exam day and a student has already turned in their exam and departed before you arrive, you are too late and I will not let you take the exam
-midterm exam grades are not posted on our web page
-final grades will not be given out over the telephone nor by the Department Secretary. I will be happy to let you know your final exam grade, course average, and course grade if you contact me via our web. If you have materials you would like returned, provide me with a stamped, addressed mailer.

Attachments:
Space Law Websites

NOTE: The Department of Political Science has prepared a careers and internships guide for Political Science majors that is available to students on the Department website. Also check out the attachments in Announcements with information on job opportunities for those with international relations/international law backgrounds; law schools with a strong emphasis on international law/space law.