

International Space Forum
African Chapter
Nairobi, Kenya, 13 February 2018



Statement by the International Institute of Space Law (IISL)
Prof. Dr. Kai-Uwe Schrogl, President

Distinguished participants,

The International Institute of Space Law (IISL) very much appreciates the invitation to address the African Chapter session of the International Space Forum. IISL is a sister organization of IAF and IAA, and is a partner in organising the International Astronautical Congresses. We therefore appreciate the opportunity that IISL has also been invited to speak at the IAF's Forum today. In this short address, the topic of space law will be introduced and the value of space law and regulations for the efficient and equitable use and exploration of outer space in the interest of all States shall be highlighted.

We celebrated last year the 50th anniversary of the Outer Space Treaty, which has laid the foundations of space activities up to our days. It is rare that such a long-time anniversary can be celebrated of an international agreement. The reason can only be that its provisions are of practically timeless value and their implementation and acknowledgement mirror the State Parties continued appreciation and respect. Let me point out the most relevant such principles contained in the OST: freedom of use, peaceful uses, sharing of benefits, non-appropriation, State responsibility and liability, international cooperation.

Let me make in this context a first point. The provisions of the Outer Space Treaty (and the agreements, which have been based on it as the Astronauts Rescue Agreement, the Liability Convention, the Registration Convention and the Moon Agreement), which are of a particular value also for developing countries, since they respond very much to their needs and interests, can only be translated into benefits, only when States actually have ratified the OST and the other space law agreements. So far, only 110 States have ratified the OST and far less States have ratified the other agreements. Therefore, signing and ratifying the space law agreements is very much encouraged in order to become a beneficiary of the principles enshrined in the corpus of space law. IISL is open to support any such initiatives with our knowhow and our network of experts.

While the principles of the Outer Space Treaty can be regarded as solid, their application has to take new developments into account. To name a few: the regulation of private space activities through national space legislation, the regulation of new types of telecommunication technologies and services, the search for dealing with cyber activities/security as it relates to space activities, Space Traffic Management, the regulation of the use of extraction and use of space resources, and the search for an approach for the regulation of High Altitude Pseudo

Satellites (HAPS). These issues of national and international relevance might even require new legislation or arrangements. From a perspective of IISL as global association for the promotion of space law, these developments should be conducted in an open and inclusive way. This was the second point, which I wanted to make and it also goes with the offer from the Institute to be entirely dedicated to support such developments and provide assistance, in particular in the field of the establishment of national space legislation.

IISL is very pleased to have an active membership from Africa. I would like to point out that African Universities successfully compete in our global Manfred Lachs Moot Court Competition. Last year, we had the University of Pretoria as a semi-finalist at the International Astronautical Congress in Adelaide (photo). A lot of papers have already been presented by African scholars at our International Space Law Symposia and subsequently been published in our Proceedings. A former Board Member, Mr. Tare Brisibe from Nigeria, served as Chairman of the UNCOPUOS Legal Subcommittee. These are just a few highlights to make you aware of how Africa is enriching IISL and space law as a whole.



Distinguished participants,

The United Nations will hold this year a special session of UNCOPUOS commemorating the first global UNISPACE conference, which took place five decades ago. Space law will figure high on the agenda, since it is of such paramount importance for each of the spacefaring countries, since it protects your activities, it enables safe and secure space activities and it makes an equitable and fair progress possible. IISL is ready to support you in deriving the benefits from space law, building on your engagement and expertise in dynamic environments.