# PROCEEDINGS OF THE TWENTY-EIGHTH COLLOQUIUM ON THE LAW OF OUTER SPACE

# INTERNATIONAL INSTITUTE OF SPACE LAW OF THE INTERNATIONAL ASTRONAUTICAL FEDERATION

October 7-12, 1985 Stockholm, Sweden

Published and distributed by AMERICAN INSTITUTE OF AERONAUTICS AND ASTRONAUTICS 1633 Broadway/New York, N.Y. 10019

## TABLE OF CONTENTS

IISL Board of Directors, Members of the Board, and Honorary Directors	vii
Introduction Prof. Dr. I. H. Ph. Diederiks-Verschoor	viii
LEGAL ASPECTS OF MAINTAINING OUTER SPACE FOR PEACEFUL PURPOSES	
Interests of Mankind and Problem of Preventing Outer Space Militarization	
V.D. Bordunov	1
The Use of Outer Space for Peaceful Purposes, Legal and Political Considerations	
C.Q. Christol	4
"Rule of the Road": Legal Measures to Strengthen the Peaceful Uses of Outer Space	
R. DalBello	8
Space Policy Great Power's Business or Everyone's?	
A.J. Emmanouel	13
Law and Peace for Outer Space	1.0
E. Fasan	16
Nuclear Winter, Ballistic Missile Defense and the Legal Regime for Outer Space	20
J.F. Galloway  Maintaining Outer Space for Peaceful Uses: Some Specific Proposals	20
for a Modest Headway in Arms Control	
S. Gorove	27
What's the Law on the Military Use of Outer Space?	21
C. Gutierrez Espada	31
On Strengthening the Role of COPUOS in Maintaining Outer Space for Peaceful Uses	
He Qizhi	37
Outer Space Controlled by the United Nations Will Secure the Peaceful Cooperation	
of the Member Countries	
Z. Horák	41
Prevention of the Militarization of Outer Space—Necessary Condition	
for Broad International Cooperation in the Exploration and Use of Outer Space	
E. Kamenetskaya	44
Space Law and Space Offensive Weapons	
E. Konstantinov	47
Evolution of the Statutes and Membership of the International Academy	
of Astronautics	
V. Kopal	52
Verification and the Space Related Agreements	
I.I. Kusksvelis	61
Prohibition of Weaponization of Outer Space	
R. Lakshmanan	68
	0.1
V. Leister  The Strategic Defense Initiative Debate: An Interdisciplinary Approach	81
S.F. March	01
○ 1. A. AMA VII. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	8 <i>3</i>

Telecommunications As a Space Activity for Weapons of Mass Destruction  L.F. Martinez92
Legal Implications of Arms Control of the Super Powers
in Space Strategic Defense Intitiative (SDI) and ASAT
C.C Okolie96
The United Nations Committee on the Peaceful Uses of Outer Space and the Question
of Ways and Means for Maintaining Outer Space for Peaceful Purposes
A. Piradov and B. Maiorsky105
Effect of Fibre-Optic Communications on Space Radio Regulations
S.K. Sarkar
Delimitation of Air and Space—Major Condition for Ensuring Peace and Security E.G. Vassilevskaya114
L.G. Vassilevskaya
COMPARISON BETWEEN SEA AND SPACE LAW ESPECIALLY IN VIEW
OF EXPLORATION AND EXPLOITATION ACTIVITIES
General Principles of Law: An Appraisal of the Correspondence of Principles
Relating to the High Seas to Outer Space H.H. Almond Jr
International Law of the Sea and Outer Space: Transfer of Technology Problem
G.M. Danilenko
The Application of Maritime Salvage to the Law of Outer Space
H. DeSaussure
Territorial Sea and Airspace—Passages to Free Space?
G. Gál
Question of Analogies between Sea and Space International Law
A. Górbiel142
Comparisons Between the Sea and Outer Space Law: Exploration and Exploitation
P.P.C. Haanappel145
Balancing the Conflicting Demands in Legislating Common Property Resources
of the Ocean and Space N. Jasentuliyana
Analogies and Differences in the Development of the Law of the Sea
and the Law of Outer Space
V. Kopal
The Law of the Sea (LOS) Treaty and the Moon Treaty:
Some of Their Similarities and Differences
S.H. Lay156
Exploration and Exploitation Activities in Sea and Space Law:
A Parallelism of Principles
J. Stańczyk
Space Law: Lessons Learned from the Antarctic
C. Stovitz and T. Loomis
Environmental and Historical Differences Render Sea Law
of Little Guidance to Development of Space Law T.E. Wolcott172
1.L. YY UICULL

### LEGAL PROBLEMS OF REGISTRATION OF SPACE OBJECTS

E.R. Finch Jr	173
Does the Convention on Registration of Objects Launched	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
into Outer Space Require Revision?	
B. Maiorsky	178
The Contribution Made by the Convention on Registration of Outer Space Objects	
Toward the Codification and Promotion of Space Law	
R. Müller	182
Strengthening the Registration Convention	
L. Perek	
Legal Consequences of the Registration Convention for Space Platforms, Space Sta	tions,
and Space Habitats	
M.A. Rothblatt and N.A. Samara	192
Legal Problems of Registration Objects	
H. Safavi	199
The Registration Convention Ten Years After	
W.B. Wirin	203
SPACE ACTIVITIES AS A SUBJECT OF SPACE LAW	
On the Legal Contents and Significance of the Common Heritage of Mankind	
in Outer Space Law	
R. Arzinger	208
Some Reflections on Space Activities as a Subject of Space Law	
KH. Böckstiegel	211
Financing Space Activities	
B.S. Brumberg	215
Protection of Security of Space Traffic	
I.H. Ph. Diederiks-Verschoor	220
Materials Processing As a Subject of Space Law	
A. Dula	224
Space Activities: Transforming Space Law	
N.C. Goldman	227
Outer Space Activities As an Object of International Space Law	
Y.M. Kolossov	232
The Training of Astrolawyers—An Immodest Proposal	
G.P. Sloup	235
Regulation of Private Commercial Space Transportation by the U.S. Department	
of Transportation	
E.J. Steptoe	240
Responsibility of States for Remote Sensing Activities	
V.S. Vereshchetin and V.M. Postyshev	247
Colloquium Discussion	25
Colloquium Discussion	25

#### **ADDITIONAL MEETINGS**

IAA/IISL 11th Scientific Legal Roundtable	IAA/	/IISL	11th	Scientific	Legal	Roundtable
---	------	-------	------	------------	-------	------------

"Legal and Technical Implications of Space Stations"

ntroductory Note	
V. Kopal	:59
Orbital Debris—Current Issues As They Impact on an Expanding Manned Presence	
1 Space	
M.G. Wolfe2	260
The Space Station: U.S. Proposal and Implementation	
E. Galloway2	268
Ianned Orbital Stations: Technico-Legal Aspects	
A.I. Rudev2	281
Medico-Legal Implications of Space Stations	
J. Dvořák2	285
ummary of the Discussion2	288
ISL Program at the United Nations: 'The Future of Space Communications''	
ntroductory Note	
M. Menter (Eilene Galloway, Moderator)	293
The International Telecommunication Regulatory Framework for Satellite Communications	
R.E. Butler2	295
Sechnology and The Future of Satellite Communications	
K. Schaefer	298
statutes of the IISL	301
Author Index	304