

3rd Strategic Space Law Program

offered by



McGill

Institute of
Air and Space Law

Institut de
droit aérien et spatial



THE UNIVERSITY
of ADELAIDE

ADELAIDE LAW SCHOOL

on

30 May – 3 June 2016

at

**Institute of Air and Space law,
McGill University, Montreal, Canada**

An intensive, interdisciplinary, international and interactive program designed for lawyers and other professionals in the defense services, international relations, government, international organizations, law firms, consulting firms and industry interested in studying space law from a strategic perspective.

3rd Strategic Space Law Program

(McGill University, Montreal, Canada, 30 May – 3 June 2016)

What is it?

The McGill University Institute of, and Centre for Research in, Air and Space Law, in partnership with the University of Adelaide Law School, is pleased to present the 3rd Annual Strategic Space Law Program. Armed forces have not had to comprehensively consider the application of law to the use of force and rules of engagement in outer space. Conflict in the space domain is now a possibility that cannot be dismissed and this Program provides a unique opportunity for lawyers and other professionals in the defense services, international relations, government, international organizations, law firms, consulting firms and industry around the world to study space law in a strategic context.

The Montreal Program is a one-week intensive, interdisciplinary, international and interactive workshop (non-assessable) at McGill University from 30 May to 3 June 2016. The Program will be repeated in the form of a graduate course (assessable for academic credit) at the University of Adelaide Law School during the first semester of 2017. The substantive content of the Program will be delivered by world-class academics, legal and policy advisors and subject-matter experts drawn from government, civil society (including academia) and commerce.

Program Highlights

- **25 core lectures** from experts on the concepts, principles and rules involved in the various disciplines that touch on Strategic Space Law.
- **10 Hands-on practical exercises** linked to lectures, on topics such as diplomatic negotiations, aerospace traffic management, military use of spectrum, space debris and simulated legal, policy and commercial problem-solving and debate.
- **Social and other networking activities.**

Who are the expert-instructors?

- **Duncan Blake:** Deputy Director SPACE, Vice Chief of Defence Force Group, Department of Defense, Australia (not representing DoD).
- **Melissa de Zwart:** Professor, University of Adelaide Law School, Adelaide, Australia, Deputy Director, Adelaide Research Unit on Military Law and Ethics (RUMLAE).
- **Steven Freeland:** Professor of International Law, Co-Director of Research and HDR, University of Western Sydney School of Law, Australia.
- **Ram Jakhu:** Associate Professor, Institute of Air and Space Law, McGill University, Montreal, Canada.
- **Dale Stephens:** Associate Professor, University of Adelaide Law School, Adelaide, Australia, Director RUMLAE.

OTHER EXPERTS WITH EXTENSIVE PRACTICAL EXPERIENCE WILL BE INVITED

Why study Strategic Space Law?

Today there are over 1,300 active satellites in orbit and the number of States directly involved in launching or operating satellites has grown substantially since the dawn of the space age. Even States that have no direct involvement in launching or operating satellites rely heavily on space infrastructure: for television, radio, banking, communications, transport, agriculture, mining, and especially for modern military services.

Yet, those satellites are under increasing threat from 100,000s of pieces of space debris and increasing harmful radio interference. Furthermore, some States already possess counter-space weapons and other means capable of destroying or disrupting satellites and other States have plans to develop those capabilities. There is also greater competition for use of the limited radio frequency spectrum and prime orbital slots that are indispensable for the operation of all satellites.

Outer space is becoming more contested, congested and competitive. Concurrently, the global security situation generally is less certain. Financial and other constraints have made global powers more inward-looking and less likely to deploy forces globally – except through the sort of ‘remote reach’ capabilities that rely on space infrastructure (such as uninhabited aerial vehicles and cyber warfare). Ballistic missiles, as the means of delivery of nuclear weapons, involve space flight and ballistic missile defense also relies on space-based infrastructure. Thus, space is a key element in global security, yet it is also increasingly vulnerable to the threats described above.

There is a real danger that outer space will become a wild and lawless frontier. There is evidence of that view already. A conflict in space could have devastating implications for the space systems of all nations and for modern society on Earth. Therefore, in order to avoid potentially devastating conflicts, there is a dire need for understanding, particularly by those that are directly involved in the use of space, of the applicable rules of international law, particularly rules governing the prohibition on the use of force and applicable rules of international humanitarian law that serve to minimize the detrimental effects of any future conflict. The challenges confronting space-based infrastructure have implications for all States, not just the superpower, space-faring States and implications for all sectors, not just the military or government.

Who is the program for?

- military lawyers
- lawyers from other government departments and international organisations
- Public Policy practitioners/scholars
- commercial lawyers
- aspiring law students (aspiring to study law or law students aspiring to employment in this field)
- non-lawyers in space-related private or public sector roles

What knowledge and skills will you acquire?

Participants will be able to explain the legal parameters around the current strategic challenges for space-based infrastructure and can explore various legal means to address those challenges. A successful graduate from this course will have the space law knowledge and skills to engage in:

- relevant, strategic policy-making
- drafting and negotiating domestic and international legal instruments
- diplomatic representation
- capability development
- conferences
- strategic-level meetings
- related commerce

Ultimately, graduates will make a significant contribution to the rule of law governing global space security for the benefit of all nations.

What qualifications will you receive?

The Strategic Space Law Program at McGill University will be run as a workshop and will be non-assessable. Participants will be given a Certificate of Participation at the end of the workshop. Participants may also physically undertake the program at McGill University, but concurrently enroll at the University of Adelaide and, on completion of assessments set by the University of Adelaide, participants will be awarded 3 units of credit (one full subject) towards postgraduate qualification

Students completing the Strategic Space Law Course at the University of Adelaide will be awarded 3 units of credit (one full subject) towards a graduate qualification (i.e. LL.M), which will be recognized at any Australian university (individual arrangements would need to be made with other universities). Persons not wanting to undertake the assessments for the Strategic Space Law course at the University of Adelaide may audit the course for a lesser fee.

What is the cost of enrollment?

Registration fee, of CAD \$500 per person, includes admission to the 5-day program, course material, refreshments, and luncheons.

For more information and enrollment, please contact Maria Manoli, Research Assistant at McGill Institute of Air and Space Law, at: maria.manoli@mail.mcgill.ca

3rd Strategic Space Law Program (2016)

	Mon: 30 May 2016 <i>Context: strategic nature</i>	Tue: 31 May 2016 <i>Fundamentals: space-specific</i>	Wed: 1 June 2016 <i>Fundamentals: broader areas</i>	Thu: 2 June 2016 <i>Practical support in peacetime</i>	Fri: 3 May 2016 <i>Practical support in tension and hostilities</i>
Morning 0900-0950	Registration (starts at 8.30) 1.1 Welcome, administration and introduction	2.1 International law basics	3.1 Law of armed conflict and the conduct of space activities: <i>Jus ad bellum</i>	4.1 Launch Activities	5.1 Practical legal support in military context (10 min; Application of force through space (30 min, Approaches to ROE for space (20 min,
1000 - 1050	1.2 Nature of the space domain	2.2 Basic space law principles & domestic implementation & space law making	3.2 International humanitarian law and the conduct of space activities: <i>Jus in bello</i>	4.2 Satellite Communications (SATCOM)	5.2 TTX part 1 - tension around prospective launch
1100 - 1150	1.3 Space power and strategy	2.3 Liability and principles of State responsibility	3.3 Environmental Law	4.3 Intelligence, Surveillance and Reconnaissance (ISR)	5.3 Application of force from space
1200 - 1250	1.4 Military and national security uses of outer space	2.4 Law in related domains (Law of the Sea :	3.4 Technological progress and legal protections - intellectual property, export control and other protections	4.4 Space Situational Awareness (SSA)	5.4 TTX part 2 - shaping & influencing, pre-positioning, discussion of targets
1400 - 1450	1.5 Civil and commercial uses of outer space	2.5 Law in related domains (Air Law:	3.5 Active debris management (ADM) and on-orbit servicing (OOS) proposals	4.5 Positioning, Navigation, and Timing (PNT)	5.5 Application of force to and in space
1500 - 1550	1.6 Diplomacy, 'smart' power & 'soft' law	2.6 Law in related domains (Radio Frequencies:	3.6 Exercise - COPUOS (Space debris	4.6 Exercise - ICAO (space traffic management)	5.6 TTX part 3 - conflict in space as a pre-cursor to broader conflict, neutrality
1600 – 1650	1.7 Exercise – CD – PAROS – GGE – CoC	2.7 Law in related domains (Cyber Space:	3.6 Exercise - COPUOS (Space debris)	4.6 Exercise - ICAO (space traffic management)	5.7 Course conclusion
1700 - 1750	Reception	2.8 Exercise - ITU (RF congestion, rules about bringing into use)	3.6 Exercise - COPUOS (Space debris)		Reception
Evening					

3RD STRATEGIC SPACE LAW PROGRAM, MONTREAL, 30 MAY – 3 JUNE 2016

Registration Form

☐ Mr ☐ Mrs. ☐ Mrs. ☐ Dr

First Name	Initial(s)	Last Name
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Position/Department	Organization / Firm
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Address

City	State/Province	Postal/Zip Code	Country
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Telephone	Email
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Date	Signature
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Registration Fee: \$500 (CAD)

includes registration for 1-week program, refreshments, luncheons, and course materials

Method of Payment: ☐ Check or money order payable to *McGill University Institute of Air and Space Law*

☐ MasterCard

☐ Visa

☐ American Express

Card No: _____

Expiry Date: _____ Name of card holder: _____

Date: _____ Signature of card holder: _____



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Register online at:

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BY FAX:
Fax completed registration :

**Fax registration form with credit card payment information c/o Maria D'Amico
Fax number: (514) 398-8197.**



BY MAIL TO:
:

**Mail registration form with payment to: McGill University IASL, c/o Maria
D'Amico, 3690 Peel Street, Montreal, QC, CANADA H3A 1W9**