

Space Law Essay Competition

The NPOC Space Law Austria launches an essay competition on pertinent issues in the area of space law. Participants are invited to write a text in English on one of the following topics:

- **The importance of non-binding instruments in international space law**
- **Do we need a new legal regime for Mars?**
- **New legal aspects of satellite remote sensing**

The authors of the three best submissions will receive financial support by the Federal Ministry for Climate Action, Environment, Energy, Mobility, Innovation and Technology (BMK), through the Austrian Research Promotion Agency (FFG), to participate in the **Young Lawyers' Symposium** and the **Practitioners' Forum**, organised by the European Centre for Space Law (ECSL) in spring 2022 in Paris. In addition, the author of the best essay will receive financial support for his/her participation in the **International Astronautical Congress (IAC)** in autumn 2022 in Paris.

Participation is open to all students at Austrian universities who are interested in space law and offers a good opportunity to deal with current issues of international space law in depth.

For students at the University of Vienna, including incoming Erasmus students, this essay will be a voluntary part of the course "General legal issues of the use of outer space technologies" (3 ECTS) and will be credited with additional 3 ECTS.

Submissions should be sent to npoospace.law@univie.ac.at until **15 February 2022**. The essay should be 5000 words and formatted in Times New Roman 12pt.

For further questions, please contact:

Max Felbermayr

max.felbermayr@univie.ac.at

- **The importance of non-binding instruments in international space law**

Recent developments in international space law have shifted away from traditional and binding sources of international law. After the conclusion of the five UN treaties on outer space, international instruments in space law have been drafted in the form of non-binding norms. Among these, resolutions by the UN General Assembly, as well as various guidelines, deserve special consideration. While these instruments possess no legally binding value as such, they may nevertheless be essential in interpreting existing international law and shaping emerging customary law. Students could also tackle the topic by drawing a comparison to other areas of international law or by focusing on a particular instrument.

- **Do we need a new legal regime for Mars?**

Ever since the first landing of a space object on Mars in 1976, the Red Planet has inspired adventurous projects. Less than a year ago, NASA's *Perseverance* landed on Mars and deployed a helicopter on another planet for the first time. Private space actors even go a step further, as they have announced plans to establish a 'Mars colony'. However, the current international legal regime lacks specific provisions for activities on Mars. Even though the general legal framework for space activities might apply to Mars as well, one could argue that specific issues, such as human presence or the utilization of space resources found on Mars, require further regulation.

- **New legal aspects of satellite remote sensing**

On an international regulatory level, satellite remote sensing, *i.e.* sensing the Earth's surface from space through a satellite, is primarily addressed by the UN Remote Sensing Principles of 1986. Since the adoption of this resolution, new issues have emerged that are relevant for remote sensing activities. Among others, data protection, intellectual property rights or a unified data management could be considered. Moreover, satellite remote sensing also has implications for disaster management, environmental law and liability issues. One could argue that these topics are not adequately addressed in the current legal framework.

These descriptions aim to provide a condensed overview of the relevant issues concerned. They are not intended to limit the content of students' submissions in any way. Students are encouraged to approach their chosen topic as they see fit. As with any piece of legal writing, thorough research is paramount. We suggest these books and articles as a starting point:

- Irmgard Marboe (ed), *Soft Law in Outer Space: The Function of Non-binding Norms in International Space Law* (Böhlau 2012)
- Irmgard Marboe, 'Living in the Moon Village – Ethical and Legal Questions' (2019) *Acta Astronautica* 177
- Atsuyo Ito (ed), *Legal Aspects of Satellite Remote Sensing* (Brill/Martinus Nijhoff 2011)