



# Course program and reading list

Semester 1 Year 2020

**School:** Harry Radzyner Law School LL.B.

Space Law

**Lecturer:**

Prof. Dov Greenbaum [dov.greenbaum@runi.ac.il](mailto:dov.greenbaum@runi.ac.il)

---

<b>Course No.:</b>	<b>Course Type :</b>	<b>Weekly Hours :</b>	<b>Credit:</b>
10490	Seminar	2	2

<b>Course Requirements :</b>	<b>Group Code :</b>	<b>Language:</b>
Final Paper	201104901	English

**Prerequisites**

**Prerequisite:**

4 - Legal English Advanced 2 **OR** 10061 - Legal English Advanced for - Honors Program

---



## Course Description

Course in Space Law

**Objectives:**

The course is divided into three sections. Note that these topics are aspirational and coverage of various areas will depend to a large degree on particular student interests and time constraints.

1. Space Policy: Wherein we discuss some of the diplomatic and international policy issues associated with space
2. Public Space Law: Wherein we discuss some of the International legal issues

associated with space

3. Private Space Law: Wherein we discuss some of the private law issues associated with space

### **Methodology:**

The course is designed to be interactive, with students participating through various technological tools in real time. This allows the students to also be objectively graded on their participation.

The course is designed to be taught frontally, but with substantial student participation and guidance in terms of what subjects within the syllabus they wish to focus.

### **Evaluation**

Students will be evaluated on their participation as measured by their recorded digital interactions. Poll Everywhere is a particularly useful tool in getting students to interact, ask questions, raise concerns and provide their opinion

Depending on the size of the class the final grade will either be a combination of the participation and a final paper, or in a larger setting, participation and a multiple choice exam. The amount of knowledge provided will be substantial, and a multiple choice exam will be designed to not test them on their memory, but on their application of the information vis-à-vis the law.

### **Course Materials**

As this is an emerging area of law, the texts are not that good, and are relatively expensive, narrow and many are already outdated. All relevant and necessary information will be provided through the in-class powerpoints

### **Recommended Readings.**

Students will benefit from simply keeping up to date in the technological innovations associated with space exploration. Reading the news will be best. Again, with the goal of issue spotting.

### **Detailed Course Description**

More specifically:

I. In exploring **Space Policy** the course will provide:

1. A presentation of the **history of space exploration**, focusing initially on the space race between the USSR and the USA, but continuing on to today where space is

much more of a private enterprise. This is an important section as it provides indispensable context for why the law has evolved the way it has and continues to evolve.

2. An examination of the relevant **international, national and non-governmental bodies** associated with space exploration and the applicability of the hard and soft law that they develop.
3. An overview of **space diplomacy** as it relates to the interactions between nation states, even those nation states that might in a cold peace, or even officially at war. This section will highlight the value of space exploration, not only for its scientific merit, but also for its diplomatic results.
4. An in-depth look into the various space related **treaties** developed by the United Nations, extracting some key provisions that will be important for the remainder of the course.
5. A look into the role that **militarization** plays in space development and various efforts to limit the scope of the military within space exploration.

II. The section on **Public Space Law** will provide a more comprehensive analysis of the various legal instruments in space law as they pertain to public law:

1. We will look at the various **sources of space law**, including the aforementioned treaties, custom, national law and advisory opinions (soft law).
2. We will study the **foundational principles of space law**, and understand how the principles fit in with the aforementioned sources of space law.
3. We will select a number of **key terms within space law** that are especially relevant to current space efforts, and seek to define them within the context of the various laws.
4. We will look to three emerging areas of public law in space including:
  1. **Planetary Protection**: the nature of the efforts to limit human destruction and or simply contamination of celestial bodies.
  2. **Debris Mitigation** and **Traffic Management**: the extent to which the law protects, or fails to protect the area of outer space immediately above earth and what that means for the future of space exploration, especially given the emergence of small cheap and poorly built **mini satellites**.
  3. Concerns about **criminal and terrorist activities** in space, and how the law can regulate such activities, especially given the increasing number of unvetted, non-professional space explorers.

III. The third and final section of the course will survey many of the legal issues associated with **Private Space Law**.

1. We will look to issues of **private ownership** of celestial bodies, and in particular the various concerns that arise from the ability, or inability vis-à-vis the law to assign various aspects of ownership rights.
  1. Ownership of **asteroids** and small celestial bodies;
  2. Ownership of **plots of land** on various larger celestial bodies like the Moon and Mars;

3. **Extraction rights** to mine various celestial bodies;
  4. Ownership rights over **radio spectrum and orbital slots** around Earth and other celestial bodies.
2. We will study the emerging area of **private and commercial space flight**, especially as it relates to:
1. **Licenses and access** to space for private institutions and their obligations, liabilities, benefits and responsibilities in light of the treaties and multi-lateral agreements between nation states that never expected the degree of current involvement of private corporations in space.
  2. **Space Tourism** – a real and emerging industry. In particular, the space tourism industry has many legal uncertainties regarding the multitude of multinational agreements and national laws that regulate airlines. Additionally, there are interesting legal issues regarding the applicability of many of the aspects of the space treaties to non-astronaut tourists.
3. We will look at various legal issues relating to simply **living in space** that we take for granted on Earth, including marriage, voting and other various daily activities that involve jurisdictional issues.
4. Finally, we will enjoy the analysis of space law as it relates to **aliens**, including simple, intelligent, and super-intelligent life forms. We will examine the laws that outline the nature of our interactions with extra-terrestrial species, or the lack thereof.
- 



## Course Goals

The course is designed to not require rote memorization, but rather to inculcate issue spotting. Space Law is relatively sparse, so the goal is to extract the relevant questions, rather than find the unlikely answers.

---



## Grading

### Evaluation

Students will be evaluated on their participation as measured by their recorded digital interactions. Poll Everywhere is a particularly useful tool in getting students to interact, ask questions, raise concerns and provide their opinion.

Course participation will likely be 20% of the grade, but could change.

Final Paper will likely be 80% of the grade, but could change.

---

 Reading List

NONE