TWO DAY NATIONAL WORKSHOP ON

Liberalization and Privatization of Space Activities in India: Emerging Legal Issues

Background:

The development and application of space technology has resulted in tremendous global impact in diversified fields including social, economic, cultural and scientific. With the increasing globalization of economies, liberalization of space policies, new technological developments in space industry, privatization of some of the space segments, and the growing trend in noninterventionist bilateral and multilateral agreements, there is a development of new trends that are emerging in the space industries throughout the world. Privatization and intensified global competition are forcing space industries to become responsive, increasingly competitive, and efficient and committed by focusing more closely on their stake-holders. The technological, infrastructural, institutional, economic and human challenges have prompted those in charge of space and space-related agencies to affect a shift in their policies and approaches pursued for years, to which India is not an exception.

Over the past few years in India, the attitude of the Government and the Space Industry towards the regulation of space activities has undergone a profound change in almost all spheres. It has been progressively looking forward to privatizing and commercializing space assets expand and develop capability in space exploration and scientific discovery, commercialize its competence to build satellites and offer launch service from its launch vehicles. All these developments are resulting in new concepts of ownership, financing, management and operation of space industry, which are the emerging trends and the hot topics of deliberation in India. The ultimate effect can be seen in the form of the unexpected success of India in the mission of Chandrayan, to the surprise of the developed nations. Indian space industry has become more cost-effective than before, and is booming.
Consequently, keeping in view the pace with which India is developing and expanding in its space and space-related matters, it is seen that it requires some changes in space policies and the present legal regime in order to accomplish the various space-related treaty obligations and to enhance the growth and expansion of space activities and space industry in the country. Furthermore keeping in view the recent national and global developments which include the active involvement of the private sector and commercialization of space activities, the agreements concluded nationally and globally with various agencies, governments and international /intergovernmental organizations could benefit the Indian space industry.

With the launch of 11 satellites from one space vehicle, India displayed its prowess in space technology in the year 2008. Recent successful launch of 7 satellites has once again proved that in the field of space technology, India is a force to reckon with. With these developments, India is among the few select countries, which have realized the immense potential of space technology for national development. It is a member of the exclusive group of few nations with the capacity of launching and operating their own satellites. Today the Indian space programme has not only achieved considerable self-reliance in space technology but it has also promoted its commercial utilization. Building upon its rich expertise it has gathered over the years, it is bound to continue as a global leader in the space industry. In light of the recent trends of globalization, liberalization, privatization and commercialization, the area is bound to experience several legal issues including contract fulfillment and dispute resolution with huge stakes involved and the present legal structure is grossly inadequate to deal with these changes. Hence, there is an urgent need to elaborate on the Indian involvement in all these issues in the workshop.

While India has accomplished international acclaim in the area of space technology development and utilization, it is yet to see an integration of efforts at the national level from the standpoint of the private sector. To do it in a more organized and cost-effective way, we require a strong and powerful legal regime which can not only expedite the liberalization and privatization of space activities in India but can also involve people of India at the grass root level in the promotion and development of space activities within the minimum time frame; because outer space is going to be the next destination for human activities in times to come. Every space-faring nation wants to establish human colony in outer space as an alternate shelter to earth. Liberalization and privatization of space activities in India would be a meaningful contribution to this monumental endeavor of mankind.
In light of the rapid development of activities in space, and the growing need for enacting a new domestic space law, and integrating divergent regulations dealing with space and space-related matters, we are happy to inform you that NALSAR University of Law is organizing a Two day National Workshop on Liberalization and Privatization of Space Activities in India: Emerging Legal Issues is scheduled to be held on 12th and 13th of April, 2013. This workshop is a part of our efforts to facilitate the convergence of views on contemporary legal issues in relation to liberalization and privatization of space activities in India. The workshop aims to address some of the emerging issues as discussed above, and to provide a platform for researchers, industry leaders and professionals in this field to interact with students interested in further study, research, and career in Space Law.

ABOUT THE CENTRE FOR AIR AND SPACE LAW (CASL):

The NALSAR University of Law has always endeavored to promote quality research in contemporary legal issues. One of the contemporary but neglected areas in Indian legal realm is Air and Space laws. To fill this gap and to promote further studies and research in the aerospace law, the University established the advanced Centre for Air and Space Law (CASL) in 2005 with the objective of promoting the development of aviation and space laws and related policies by conducting and promoting research and teaching at different levels. Ever since then, NALSAR-CASL has continually promoting the study of Air and Space Law by conducting National and International Conferences, Moot Courts, Workshops and also publishing Newsletters, Books and Articles, besides awarding a few M.Phils. and Ph.Ds.

One such conference was held in September 24-28, 2007 in collaboration with International Astronautical Federation (IAF) and International Institute of Space Law (IISL) in Hyderabad. In that conference, CASL was instrumental in bringing the finale of Manfred Lachs Moot Court competition to NALSAR campus where three sitting World Court judges (Their Excellencies Abdul G. Koroma, Peter Tomka and Hisashi Owada) judged the final round of the competition. In fact, on this occasion the World Court judges along with about 100 eminent scholars in air and space law from all over the world visited NALSAR and had a multidimensional interaction with the students and the faculty members on various emerging issues of Air and Space law.

CASL also successfully conducted the Manfred Lachs Asia-Pacific Regional Rounds of Space Law Moot Court Competition and International Conference on Space Law and Contemporary Issues – A Focus on Asia-Pacific Region from 21-24 June, 2012. The Moot
Court Competition and the Conference attracted the student community from Asia-Pacific Region and Space Law experts from all over the globe. The conference witnessed the presence of eminent scholars, dignitaries, legal experts such as Prof. Saligram Bhatt, Prof. V.S. Mani, Prof. (Dr.) Doo Hwan Kim, Dr. Toshio Kosuge, Dr. G.S. Sachdeva, Dr. Wang Guoyu, among others. The keynote address was delivered by Dr. V.K. Dadhwal and special address by Dr. Martha on behalf of Dr. Tanja Masson-Zwaan, President, IISL.

The University has been offering the subjects of air and space law for the past eight years. Many students with degrees in air and space law have now been absorbed in the national mainstream and are working with the airlines, airports and the multinational corporations. Several of them have also taken up important assignments abroad, enriching global prospects. With a view to enhance the quality and reach of air and space law studies in India, the Centre had launched the first ever Post Graduate Diploma in Aviation Law and Air Transport Management (PGDALATM) in India/Sharjah (UAE) in 2009. To complement and further boost the research in air and space related activities, the NALSAR-CASL is introducing two Masters Programmes- Masters Degree in Aviation Law and Transport Management (MALATAM) and Masters Degree in Space and Telecommunications Law (MSTL). It is also offering PG Diploma in Aviation Law and Air Transport Management (PGDALATAM) and PG Diploma in GIS and Remote Sensing Laws (PGDGRSL) from the academic year 2013-14. CASL also undertakes collaborative research activities in areas of common concern with state governments, NGO’s and other international organizations.

The workshop is part of the University's initiative to generate wider debate and awareness on contemporary legal issues related to space laws and space industry, and to discuss the current trends in the said areas, further, to exchange best practices, develop solutions, and publicize new initiatives. It is an attempt to provide a platform for researchers, policy-makers, bureaucrats, professionals and students to raise issues and suggest workable solutions.

With this objective in mind, the Centre calls for papers from the various stakeholders of the space law and industry on the following theme with enumerated topics.

**Theme: Liberalization and Privatization of Space Activities in India: Emerging Legal Issues (List of Tentative Topics)**

1. Commercialization of India’s Space Activities: the Need for Legal Framework
2. Joint Ventures and FDIs in Indian Space Industry: Emerging Legal Issues
3. Competition Law, Consumer Protection and Space Activities in India
4. The Road/Option for India in IPRs in Space: Divergence or Convergence?
5. Expanding the Indian Space Industry: Issues of Participation and Taxation
6. Special Economic Zones and Space Industry
8. Due-Diligence Know-how in Space Investments: Issues and Concerns
9. Space Law and Technology in India: Scope for a Career in Teaching and Research
10. Legal Controls and Safeguards of Geostationary Orbit: The Indian Side of the Story
11. The Issue of Space Debris and Re-useable Launching Vehicles: The Indian Approach
12. Space Medical Jurisprudence: Issues & Concerns
13. Status and Prospects for Space Finance and Insurance in India
14. Securing the Space: Indian Policy, Issues and Challenges
15. Aerospace Terrorism: Issues and Concerns
17. Private International Space Station: Legal Issues & Concerns
20. Indian Space Technology Exports—Legal Issues & Concerns
21. Touring the Space: Future Policy and Legal Challenges for India
22. Protecting Space Assets of India: A Legal Analysis of “Keep-Out Zones”
23. Importance of Space Law in Development of Indian Society and Culture
25. Space Activities, State Liability & State Responsibility: Indian Approach
26. Legal Aspects of Lower Earth Orbit or Sub-orbit Activities: Issues and Challenges
27. Legal Framework for Spaceports in India: Issues and Concerns
28. Use of Remote Sensing Data in Educational Institutions: Emerging Legal Issues
29. Space Law and Policy in SAARC Region: An Approach
30. Space Policy of China and India: Cooperation or Confrontation?
31. Space Elevator: Emerging Legal Issues
32. Disputes in Space: Does India Need an ADR Mechanism?
33. The Enlargement of ISRO/ANTRIX: Legal Issues
34. Interplanetary Contamination: India’s Legal Policy and Views
35. The India’s Ballistic Missile Defense System and IPR Protection
36. Manning the Moon: Legal Regime of India’ Mission in Outer Space
37. Institutional Framework of India for Space Activities: Present and Future
38. Communication Revolution in India: the Role of Space Technology
39. Legal Regime of India’s Interplanetary Mission in Outer Space
40. Solar Power Transmission from Outer Space: Legal Aspects in India
41. Human Safety in Outer Space: Legal Issues and Concerns
42. International Space Politics and Diplomacy: The Role of India

Note: The supposed range of topics is expansive enough to include issues other than those mentioned above.

PARTICIPANTS

Several leading academicians, prominent industry professionals, experts, regulators, government officials, students and other stakeholders from different parts of India and abroad are expected to attend the conference on an invitational basis. The keynote speakers for the conference shall be the leading authorities on Space Law and Space Industry.
WORKSHOP STRUCTURE

It will be a two day workshop spread into four sessions. The first two sessions of the first day shall focus on issues and concerns related to Liberalization of space industry. The second day’s two sessions will focus on issues pertinent to privatization. Each session will have interactive sessions consisting of keynote addresses, paper presentations and discussions. Each session will explore a particular theme on liberalization and privatization and the issues connected to it.

WORKSHOP VENUE

The venue of the Workshop will be the R.N. Jhunjunwala Conference Hall, NALSAR University of Law, Hyderabad (Justice City Campus, Shameerpet). The air-conditioned conference hall is equipped with multimedia projection capabilities and can accommodate up to 200 delegates. If required there are several other well-equipped venues for parallel sessions within the campus.

Dates to be marked off on your calendar

The Conference will be held on April 12th and 13th, 2013.

20th March : Last date for receipt of Title and Abstract of Paper.
23rd March : Intimation regarding the selection of the Abstract for the presentation.
10th April : Submission of Full paper.

Paper Submission Guidelines:

1. Eligibility: Participants willing to send papers must be practicing lawyers, scholars or law students currently in college in India or abroad.

2. Abstract Submission guidelines: The abstract should adhere to the same format guidelines as for the paper and must be restricted only to 500 words.

3. Format of the Submission: The paper should be in the English language, typed on A-4 sized paper, double spaced and Times New Roman Script (12 font). The pages should be consecutively numbered. The mode of citation is the Harvard Bluebook Citation, 19th edition. The paper should not exceed 5000 words. The abstract and Final Paper must be submitted in MS Word Format (.docx or .doc).

4. Authorship: Participants may send papers written either on their own or co-authored with a maximum of one other participant. (Single authorship will be preferred).
5. All professionals, faculty and students interested in attending this conference can register by paying the registration fees (including food and accommodation for two days) as mentioned below:

- Professionals: Rs. 3000/-
- Academicians: Rs. 2000/-
- Students: Rs. 1500/-

6. Registration fees must be sent by way of Demand Draft in favour of Registrar, NALSAR University of Law payable at Hyderabad with an enclosed letter specifying the name, professional qualification and registration category of the participant to the following address, on or before March 30th, 2013.

7. All correspondence about the paper including submissions and clarifications must be sent to Prof. V. Balakista Reddy, Professor of International Law & Head, Center for Air and Space Law (CASL), Justice City, Shameerpet, R.R.Dist, Hyderabad – 500078. Andhra Pradesh, Email: nalsarskies@gmail.com, Phone Number - +91-40-23498214.

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