

INTERNATIONAL INSTITUTE OF SPACE LAW



24th Manfred Lachs Space Law
Moot Court Competition 2015

WORLD FINALS

The Hebrew University of Jerusalem, The Law Faculty, Mt. Scopus
Jerusalem, Israel

October 2015



National Law University, Delhi, India
Winners of World Finals 2014, Toronto, Canada



Contents

The International Institute of Space Law	2
Board of Directors	3
Moot Court Committee	5
Judge Manfred Lachs	7
The Competition	8
Summary of the Problem	10
Participants in the Regional Rounds	12
Winners of the Regional Rounds	16
Judges for the World Finals	17
Program World Final and IISL Annual Dinner	19
Awards for World Finals	21
Contact Details for the Regional Rounds	24
Addresses	24
Sponsors	25
Further Reading	26



The International Institute of Space Law

Founded in 1960, the International Institute of Space Law (IISL) is an independent non-governmental organization dedicated to fostering the development of space law. The membership of the Institute is composed of individuals and institutions from more than forty countries elected on the basis of their contributions to the field of space law or other social sciences related to space activities. In addition, prospective membership is open to students and young professionals with a demonstrated interest in space law.

The purposes and objectives of the IISL include the promotion of further development of space law and expansion of the rule of law in the exploration and use of outer space for peaceful purposes, the holding of meetings, colloquia and competitions on juridical and social science aspects of space activities, the preparation or commissioning of studies and reports, the publication of books, proceedings, reports and position papers, and the cooperation with appropriate international organizations and national institutions in the field of space law.

The IISL holds an annual Colloquium at the International Astronautical Congress. During this Colloquium the Nandasiri Jasentuliyana Keynote lecture takes place, as well as a special session for Young Scholars. In addition the Institute organizes a variety of conferences on space law throughout the year in locations all over the world. It publishes an annual volume of IISL Proceedings with papers and reports of all activities during the year.

Since 1992, the IISL organizes the annual Manfred Lachs Space Law Moot Court Competition. The competition is based on a hypothetical space law case, written by IISL members, in which around sixty student teams from universities in North America, Europe, Asia Pacific and Africa participate. Members of the International Court of Justice judge the World Finals of the competition, making it unique in the world.

The IISL is an officially recognized observer at sessions of the United Nations Committee on the Peaceful Uses of Outer Space, and its Scientific & Technical and Legal Subcommittees.

Further information regarding the IISL can be found at www.iislweb.org.



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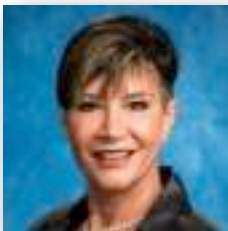
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(United States)



Dr. Zhenjun Zhang
(China)



Judge Manfred Lachs

Manfred Lachs was born in 1914 in Poland. He earned a Doctorate of Laws at the Cracow Jagiellonian University and held several academic positions in Austria and the United Kingdom, and later entered the world of diplomacy representing Poland.

After the shock of the Second World War, Manfred Lachs acted on behalf of his country at the Paris Peace Conference in 1946, took part in the Nuremberg tribunal and served as representative of Poland to the United Nations. Manfred Lachs is the only person in the UN history to have been elected three times as the Chairman of Committee VI (Legal) of the General Assembly.

Manfred Lachs chaired the Legal Subcommittee of the United Nations Committee on the Peaceful Uses of Outer Space and was deeply involved in the debates and drafting of the first multilateral space treaty, the Outer Space Treaty of 1967.

In 1967, at the age of 53, Manfred Lachs became the youngest elected judge of the International Court of Justice in The Hague and was re-elected twice for an unprecedented three terms on the Court. He also presided on the Court from 1973 to 1976.

Judge Lachs was President of the IISL from 1990 until his death in 1993. He authored many articles and books, among them 'The Law of Outer Space: An Experience in Contemporary Law Making' (1972), which the IISL re-published in 2010 to celebrate its 50th anniversary.

He may never have imagined that after his death his name would be used, with the permission of his family, for the space law moot court competition of the IISL and thus be remembered by so many space law students and other persons involved in the competition.



Judges Manfred Lachs, Stephen M. Schwebel, and Gilbert Guillaume with Milton "Skip" Smith (left to right), in the first IISL Moot Court Competition, Washington, D.C. 1992



The Competition

The Manfred Lachs Space Law Moot Court Competition is organized annually by the International Institute of Space Law (IISL).

The first competition was organized for law students from North America by the Association of US Members of the IISL (AUSMIISL) during the first World Space Congress held in Washington, D.C., USA in 1992. One year later, the Competition was extended to include European students. In 2000, the Asia Pacific Round was added, and the African Region was inaugurated in 2011.

Preliminary competitions are held between April and June in each region. The winning teams of the regional rounds meet in the World Finals, which are held in conjunction with the annual IISL Colloquium on the Law of Outer Space. The Final Round is traditionally judged by three judges of the International Court of Justice. This unique feature makes the Manfred Lachs Moot Court one of the most prestigious moot court competitions in the world.

The competition is based on a hypothetical space law dispute before the International Court of Justice. The Problem is written by a Member of the IISL upon invitation by the Organizing Committee of the Competition, alternating between the different regions. The 2015 hypothetical Problem is entitled the “Case Concerning Planetary Defense” (SPIDR v. URA). The Moot Problem presents issues relating to the response to a threat to the Earth posed by the risk of collision with a Near Earth Object (NEO). The problem also addresses the utilization of natural resources of the celestial object, and liability for damages occasioned by the NEO.

Regional Rounds must comply with the Official Rules for the Competition adopted by the IISL Board of Directors. Participating teams are required to submit a ‘Memorial’ as formal written arguments for both the Applicant State and the Respondent State on the legal issues of the hypothetical case.

In the regional Preliminary Rounds each team with two speakers presents Oral Arguments before panels of three judges. Memorials and Oral Arguments each carry a weight of 50% of the total score of a team. The four winning teams of the regional Preliminary Rounds move on to the Final Rounds.

The expenses of the teams taking part in the Final Rounds are borne by the Japan Aerospace Exploration Agency (JAXA), the European Centre for Space Law (ECSL), the Secure World Foundation, and individual donations for the respective regions. Teams are allowed to revise their Memorials before they resubmit them for the Final Rounds. A panel of judges review and grade the Memorials, and the scores are used to determine the team pairings for the semi-finals oral arguments. These oral arguments are conducted in closed sessions before three judge panels, and the two winning teams qualify for the Final.

The 24th Manfred Lachs Space Law Moot Court Competition will be held in Jerusalem, Israel. The Semi-finals will be conducted in closed sessions on Tuesday, 13 October 2015. The Final is a public event and will take place on Thursday 15 October, at The Rose and Wilfred P. Cohen Auditorium, The Hebrew University of Jerusalem, The Law Faculty, Mt. Scopus, before a panel of Judges of the International Court of Justice in The Hague.





2015 African Regional Round, Pretoria, South Africa



2015 European Regional Round, Belgrade, Serbia



Summary of the Problem

Case Concerning Planetary Defense

(SPIDR v. URA)

The United Republic of Adventura (URA) and the Sovereign Peoples Independent Democratic Republic (SPIDR) are both major space-faring nations with ambitious programs addressing both possible NEO threats and potential commercial harvesting of valuable NEO mineral resources.

URA developed a NEO materials depot for operation in Earth orbit called TASEROID, and a robotic NEO mission named TYRUS through its space agency FUSA. URA also leads a consortium, URAC, which is comprised of some of the parties to the Moon Agreement, and which was formed to develop NEO planetary defense programs such as gravity tractors, and to license the utilization of NEO resources. SPIDR meanwhile sent its KNUD-1 spacecraft to the asteroid Floyd-4 to undertake a reconnoitering science mission. While KNUD-1 was en route, FUSA also started to target Floyd-4 as an asteroid of potential interest for its missions.

KNUD-1 landed on Floyd-4 and confirmed the potential value as a harvestable asteroid. SPIDR developed a follow-up mission KNUD-2 but was outpaced by the TYRUS spacecraft, which arrived at the asteroid first. After several landing attempts during which the surface of Floyd-4 was altered, TYRUS attached itself to the asteroid close to KNUD-1, and on the same landing site KNUD-2 aimed for. SPIDR demanded that the TYRUS spacecraft be removed from the landing site prior to the arrival of KNUD-2.

At that time, it was confirmed that a second asteroid, Syd-1, presented a substantial risk of future collision with Earth. FUSA launched the TYRUS from Floyd-4 towards Syd-1 to address that risk, and in the process knocked the KNUD-1 antennae out of orientation, disabling communications. KNUD-2 arrived at Floyd-4 on schedule, but was not able to attach to the asteroid as planned as a result of the alteration of the surface by TYRUS. Eventually, KNUD-2 was able to land, however the functionality of the spacecraft was severely diminished and the mission life cut short.

TYRUS rendezvoused with Syd-1 and based on transponder tracking it was confirmed that SYD-1 was on a collision course with Earth, and that the nominal impact point was in the Cold Ocean between URA and SPIDR. FUSA decided to utilize TYRUS as a gravity tractor ahead of SYD-1 to change its trajectory and move the impact point off the disc of the Earth.



The revamped TYRUS mission without further ado started to drag the virtual impact point of Syd-1 from the Cold Ocean toward SPIDR territory, which raised considerable concerns with SPIDR. The revamped TYRUS mission failed to effect a sufficient change in the trajectory of Syd-1, which entered the Earth's atmosphere and produced an air burst over the Cold Ocean near SPIDR. The explosion caused severe damage to the SPIDR fishing village of Dropgum, and despite mass evacuations, the death of several dozens of people in SPIDR.

SPIDR and URA ask the Court to:

1. Determine whether URA is liable for damages under international law to SPIDR for changing the orbit of Syd-1, which resulted in the loss of life and damage to Dropgum; and
2. Determine whether URA is liable under international law for the loss of or damage to the first KNUD-1 spacecraft, and the loss of the KNUD-2 harvesting operation on Floyd-4

The 2015 Problem was written by Dr. Frans G. von der Dunk (The Netherlands/United States), and Leslie I. Tennen, Esq. (United States)



World Final 2014 Toronto, Canada

The case is inspired by the efforts of astronauts like Rusty Schweickart to alert the international community to this problem and try to work towards a framework at the international level for addressing any actual asteroid threats. "Tyrus" is an anagram of Rusty's name. "Spider" was the name of his Apollo 9 Lunar Module and "Gumdrop" was the name of his Command/Service Module.



Participants in the Regional Rounds

Africa:

Babcock University, Ilishan-Remo, Nigeria
Makere University, Kampala, Uganda
Mount Kenya University, Thika, Kenya
Niger Delta University, Wilberforce Island, Nigeria
Obafemi Awolowo University, City of Ile-Ife, Nigeria
University of Juba, College of Law, Juba, South Sudan
University of Pretoria, Faculty of Law, Pretoria, South Africa

Europe:

Faculty of Law, University of Cologne, Cologne, Germany
Jagiellonian University, Krakow, Poland
International Institute of Air and Space Law, Leiden University, Leiden, The Netherlands
Leuphana University, Lüneburg, Germany
National & Kapodistrian University, Athens, Greece
National Research Tomsk State University, Tomsk, Russia
Union University Law School, Belgrade, Serbia
Université Paris Sud, Paris, France
University of Bucharest, Bucharest, Romania
University of Edinburgh, Edinburgh, United Kingdom
University of Helsinki (Law), Helsinki, Finland
University of Lodz (Law and Administration), Lodz, Poland
University Nicolae Titulescu, Bucharest, Romania
University of Warsaw, Warsaw, Poland
University of Wroclaw, Wroclaw, Poland



Participants in the Regional Rounds

North America:

Arizona State University Sandra Day O'Connor College of Law, Tempe, Arizona, USA

Florida State University College of Law, Tallahassee, Florida, USA

Georgetown University Law Center, Washington D.C., USA

George Washington University, Washington D.C., USA

McGill University, Institute of Air and Space Law, Montreal, Quebec, Canada

St. Thomas University School of Law, Miami, Florida, USA

Temple University, Beasley School of Law, Philadelphia, Pennsylvania, USA

University of California – Davis School of Law, Davis, California, USA

University of Mississippi, School of Law, Oxford, Mississippi, USA

William S. Richardson School of Law, Honolulu, Hawaii, USA

Universidad Sergio Arboleda, Bogotá, Colombia

University of Nebraska College of Law, Lincoln, Nebraska, USA



Participants in the Regional Rounds

Asia Pacific:

Amity Law School, Delhi, India

Beijing Institute of Technology (BIT), Beijing, China

Beijing Foreign Language Study University (BFSU), Beijing, China

China University of Political Science and Law (CUPL), Beijing, China

Government Law College, Mumbai, India

Gujarat National Law University, Gandhinagar, India

Indian Law Society Law College (ILS), Pune, India

Hidayatullah National Law University, Raipur, India

Institute of Law, Nirma University, Ahmedabad, India

Kyoto University, Kyoto, Japan

Murdoch University, Murdoch, Australia

NALSAR University of Law, Hyderabad, India

National Law Institute University, Bhopal, India

National Law School of India University (NLSIU), Bangalore, India

National Law University, Delhi, India

National Law University, Odisha, India

National Law University, Jodhpur, India

National University of Singapore, Singapore

Nepal Law Campus, Tribhuvan University, Kathmandu, Nepal

Padjajaran University, Bandung, Indonesia

Universitas Islam, Yogyakarta, Indonesia

Universitas Katolik Parahyangan, Bandung, Indonesia

The West Bengal National University of Juridical Sciences, Kolkata, India

Zhongnan University of Economics and Law, Wuhan, Hubei Province, China





2015 North American Regional Round
Washington D.C., United States



2015 Asia Pacific Regional Round, Bandung, Indonesia

2015 Winners of the Regional Rounds

AFRICA:

OBAFEMI AWOLOWO UNIVERSITY, CITY OF ILE-IFE, NIGERIA

Students: Ms. Peace Omotayo Onashile, Mr. John Benjamin Odey, and Mr. Toheeb Oluwabukola Amuda
Faculty Advisor: Mr. Orifowomo Odunola Akinwale

ASIA PACIFIC:

NALSAR UNIVERSITY OF LAW, HYDERABAD, INDIA

Students: Ms. Chinmayi Sharma, Mr. Ravishankar Krishnan, and Mr. Debarpan Ghosh
Faculty Advisor: Prof. Balakista Reddy

EUROPE:

NATIONAL AND KAPODISTRIAN UNIVERSITY OF ATHENS, GREECE

Students: Ms. Maria Vasilaki, Ms. Marianthi Koutri, and Mr. Athanasios Plexidas
Faculty Advisor: Prof. George D. Kyriakopoulos
Faculty Advisor
Assistant: Mr. Charalampos Panagiotopoulos

NORTH AMERICA:

UNIVERSITY OF MISSISSIPPI, SCHOOL OF LAW, OXFORD, MISSISSIPPI, USA

Students: Ms. Olivia B. Hoff, Mr. C.J. Robison, and Mr. Ian Burke Perry
Faculty Advisor: Prof. Michael Steven Dodge
Faculty Advisor
Assistant: Prof. Dr. Michael Mineiro



Judges for the World Finals

Judges for the Final

H.E. Judge Peter Tomka, International Court of Justice

H.E. Judge Dalveer Bhandari, International Court of Justice

H.E. Judge Kirill Gevorgian, International Court of Justice



World Finals 2003, Bremen, Germany



Judges for Semifinals

For Oral Pleadings

Marco Ferrazzani (Italy), Legal Counsel and Head of Legal Services Department, European Space Agency, Paris, France

Steven Freeland (Australia), Professor of International Law, Western Sydney University, Australia

Diane Howard (United States), Asst. Professor, Commercial Space Operations, Embry-Riddle Aeronautical University, Daytona Beach, Florida, USA

Ranjana Kaul (India), Partner, Dua Associates Law Offices, New Delhi, India

Kai-Uwe Schrogl (Germany), European Space Agency (ESA), Paris, France

Frans G. von der Dunk (The Netherlands/United States), Harvey & Susan Perlmán Alumni / Othmer Professor of Space Law, University of Nebraska-Lincoln, USA

For Memorials

Ulrike M. Bohlmann (Germany), Administrator, Director General's Services, European Space Agency (ESA), Paris, France

Icho Kealotswe (Botswana), Counsel, Kealotswe Legal Consulting, South Africa

LI Juqian (China), Professor and Vice Dean, College of International Law, China University of Political Science and Law

Maury J. Mechanick, Esq. (United States), Counsel, White & Case LLP, Washington, D.C., USA

Vernon Nase (Australia), Curtin University School of Law, Perth, Western Australia

Zeldine Niamh O'Brien (Ireland), Barrister-at-Law, Law Library, Four Courts, Inns Quay, Dublin 7 and Lecturer, Institute of Public Administration, UCD, Dublin, Ireland

Chris Okegbe, Esq. (Nigeria), The Principal, Integrity Chambers, Abuja, Nigeria

Marcia Smith (United States), President, Space and Technology Policy Group, USA





Program

15 October 2015



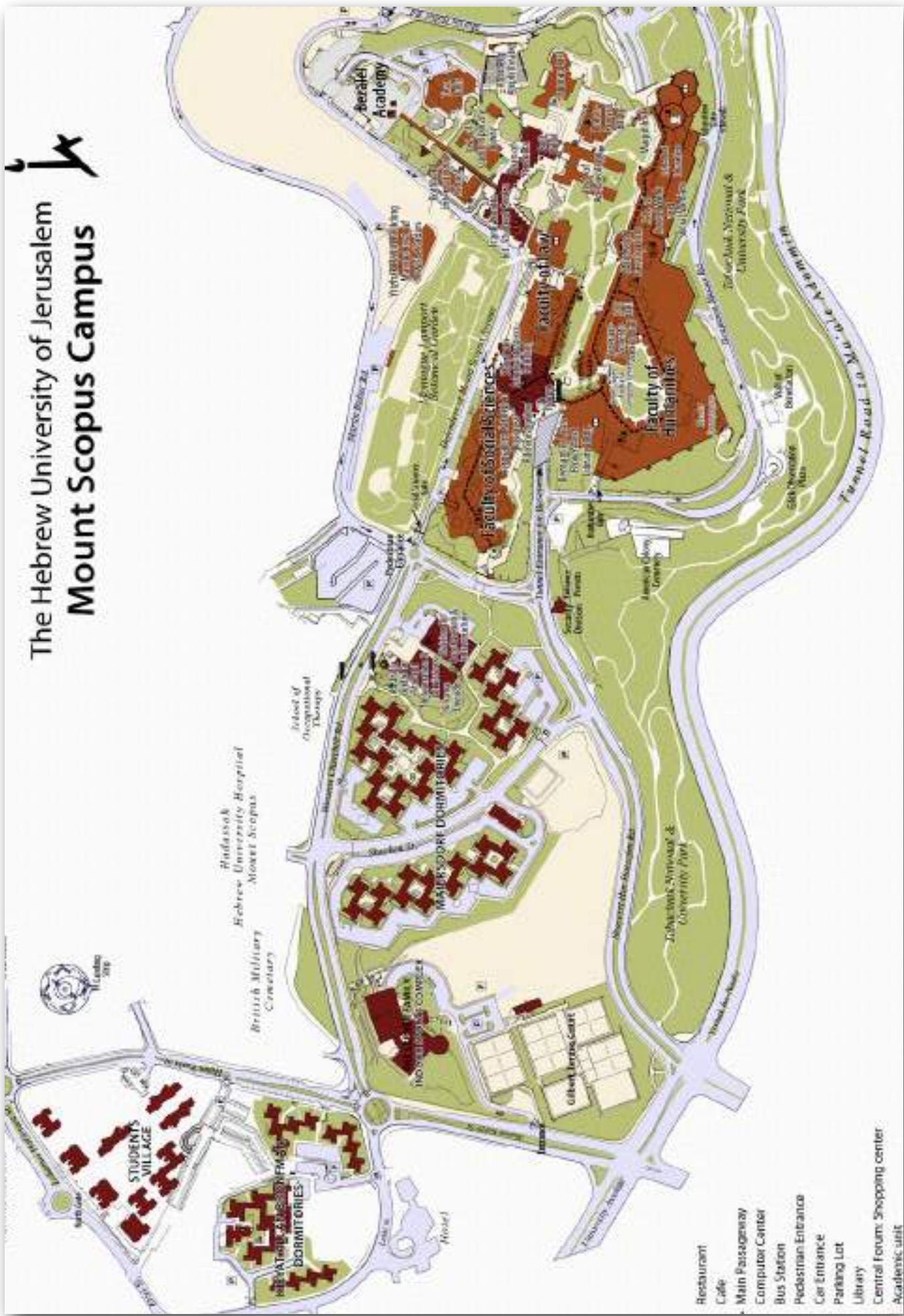
World Finals

- 3:00 p.m. Bus transport from the “HaAliya” access road to the Jerusalem International Convention Center (ICC) (please wait next to the registration marquee) to The Rose and Wilfred P. Cohen Auditorium at The Hebrew University of Jerusalem, The Law Faculty. Identification will be required for entrance.
- 3:40 p.m. All guests to be seated.
- 3:45 p.m. Introduction by Dr. Martha Mejja-Kaiser, Co-Chair, Lachs Moot Court Committee
- 3:55 p.m. Welcome by Prof. Tomer Broude, Sylvan M. Cohen in Law at the Faculty of Law and Department of International Relations, and Vice-Dean of the Law Faculty at The Hebrew University of Jerusalem.
- 4:00 p.m. Start of the World Final.
- 5:30 p.m. Deliberations
- 6:00 p.m. Address by The Hon. Justice Mr. Elyakim Rubinstein, Vice President of the Supreme Court of Israel.
- 6:05 p.m. Announcement of the winning teams and presentation of awards.

IISL Annual Dinner

- 6:45 p.m. Departure to IISL Dinner at Maiersdorf Faculty Club Conference Center (For registered guests only)
- 7:00 pm Drinks at Maiersdorf Faculty Club Conference Center
- 7:30 p.m. IISL Annual Awards Dinner at Maiersdorf Faculty Club Conference Center
- 10:30 p.m. End of dinner, bus transport to ICC.

The Hebrew University of Jerusalem Mount Scopus Campus



- Restaurant
- Cafe
- Main Passageway
- Computer Center
- Bus Station
- Pedestrian Entrance
- Car Entrance
- Parking Lot
- Library
- Central Forum: Shopping center
- Academic unit

Awards for World Finals

Winning Team

Presentation of Lachs Trophy
Lee Love Award for Best Team
Commemorative Plaque
Certificates to team members

Runner-up

Commemorative Plaque
Certificates to team members

Participants in Semifinals

Commemorative Plaque
Certificates to team members

Best Memorial

Eilene M. Galloway Award for Best Memorial
Trophy Plate to School
Certificates to team members

Best Oralist

Sterns and Tennen Award for Best Oralist
Trophy Plate to School
Certificate to Winner

All Student Participants in the Finals

Law books donated by Eleven International Publishing
Law books donated by Brill/Martinus Nijhoff
Invitation to attend the IISL Dinner



AWARDS

DR. EILENE M. GALLOWAY (1906-2009) was a legend in the fields of space policy and space law, having been instrumental in the formation of the National Aeronautics and Space Administration (NASA). From 1941-1975, she worked for the U.S. Congress as a staff member of the Legislative Reference Service (later the Congressional Research Service) and was called upon by then-Senate Majority Leader Lyndon B. Johnson to advise him on how to respond to the Soviet Union's launch of Sputnik 1 on October 4, 1957. She assisted Senator Johnson as well as then-Speaker of the House John McCormack in crafting the National Aeronautics and Space Act, which created NASA. She accompanied Senator Johnson to the United Nations when he represented the United States in recommending creation of what is now known as the Committee on the Peaceful Uses of Outer Space (COPUOS). She was an official observer at COPUOS from 1970-1994. She was a founding member of the IISL, its Vice President (1967-1979), and an Honorary Director (1979-2009). She also helped establish Section 4 (Social Sciences) of the International Academy of Astronautics (IAA). She received many awards, but was especially proud of the Andrew G. Haley Gold medal that she received from the IISL in 1968. The Galloway Award is sponsored by Ms. Marcia S. Smith.

MRS. LEE M. LOVE was a pioneer in reporting on United Nations' efforts to ensure the peaceful uses of outer space for over 40 years. She wrote about the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS) from its early days. Her personal relations were so close with committee members that she became one of the very few people who was able to host receptions with delegates from both the United States and the former Soviet Union in informal settings to promote understanding during the Cold War years. By the time she left the U.N., Lee had covered man's flights into space and the moon and reported on arguments over who owned the rights to outer space, seas and satellite orbits. She attended the annual International Astronautical Congress all over the world and was member of the International Institute of Space Law. The Lee Love Award for members of the winning team in the Manfred Lachs space law moot court competition, which she supported and attended each year with immense pleasure and interest, was established in her honour by her family and is sponsored by the Matthew and Lee Love Foundation. She passed away in 2008.

PATRICIA M. STERNS & LESLIE I. TENNEN. In 1997, five years after the competition started, Patricia Sterns and Les Tennen of the Law Offices of Sterns and Tennen, in Phoenix, Arizona, proposed that an award be presented to the best oralist of the World Finals. The Board of Directors accepted this proposal, together with their offer to sponsor the award, which has since become eponymous. Patricia and Les have been active members of the Institute and have participated in IISL colloquia for more than three decades. Patricia served as a Judge Pro Tem of the Maricopa County Superior Court, and after serving as a member of the Board, was elected as an Honorary Director of the IISL. Les was appointed to two terms as a Commissioner on the Arizona Space Commission, and currently is a member of the Board of Directors of the IISL and Co-Chair of the Moot Court Committee.



THE MANFRED LACHS TROPHY



On permanent display at the International Court of Justice
The Hague, The Netherlands



CONTACT DETAILS

REGIONAL ROUNDS

AFRICA:

LACHSMOOT-AFRICA@IISLWEB.ORG

ASIA PACIFIC:

LACHSMOOT-ASIAPACIFIC@IISLWEB.ORG

EUROPE:

LACHSMOOT-EUROPE@IISLWEB.ORG

NORTH AMERICA:

LACHSMOOT-NORTHAMERICA@IISLWEB.ORG

ADDRESSES

INTERNATIONAL ASTRONAUTICAL CONGRESS 2015:
ICC JERUSALEM INTERNATIONAL CONVENTION CENTER
PO 6001 JERUSALEM 91060
TEL: (972) – 2-6558558; (972) – 2-6558558

WORLD FINALS OF THE MOOT COURT COMPETITION:
THE ROSE AND WILFRED P. COHEN AUDITORIUM
THE LAW FACULTY, ROOM 302. THE HEBREW UNIVERSITY OF JERUSALEM,
MT. SCOPUS JERUSALEM, ISRAEL 9190501

IISL DINNER:
MAIERSDORF FACULTY CLUB CONFERENCE CENTER



World Finals 2007, Hyderabad, India



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North American Team:



Promoting Cooperative Solutions for Space Security

EUROPEAN TEAM:

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Asia Pacific Team:



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 IISL : [@IISL_SPACE](https://twitter.com/IISL_SPACE)

