



INSTITUTE AND CENTRE OF AIR & SPACE LAW

ANNUAL REPORT 2009-2010

Prepared by
Professor Dr. Paul Stephen Dempsey
Director

<http://www.mcgill.ca/iasl/>

EXECUTIVE SUMMARY

McGill University's Institute of Air & Space Law is a global leader in education, public service, research, and scholarship in the dynamic fields of aviation and space law. Our educational programme is taught by some of the most and prominent experts in the world. Our library possesses the most comprehensive and unique collection of Air and Space Law documents, books, periodicals and theses available anywhere. During the past half century, more than 900 students have graduated from the Institute, and today they hold prominent positions in law firms, international organizations, manufacturers, airlines and other related industries in 120 countries around the world.

During 2009-10, McGill University's Institute and Centre of Air & Space Law produced the following accomplishments:

- Forty students are currently enrolled in the McGill University Institute of Air & Space Law three graduate programmes - the Certificate, the Master of Laws degree, and the Doctor of Civil Laws degree - including 18 newly enrolled students;
- In cooperation with Project Ploughshares, the IASL organized the *Space Security Index Workshop* held in May 2010 in Montreal
- In cooperation with the University of Cologne, organized the *International Congress on Space Debris* at the University of Cologne
- In cooperation with the Singapore Aviation Academy & Centre for International Law of the National University, Singapore, organized a Workshop and Conference on *Air Transport, Air Law & Regulation*.
- Organized independently a first conference on International Aviation Liability and Insurance in Montreal with 216 attendees.
- Organized with the U.N. International Civil Aviation Organization a Pre-Assembly Conference on Sustainability opened by the ICAO Secretary General and the Dean of the Faculty of Law and attended by 248 participants.
- In cooperation with PEOPIL, organized a Conference on International Liability Law & Insurance in Amsterdam.
- In cooperation with the Eisenhower Center, organized a Workshop on Asia, Space and Strategy in Montreal.
- Commenced ongoing research projects and welcomed the first scholars funded by the Erin J.C. Arsenault Fellowships in Space Governance at McGill University. The \$1 million grant supports student tuition and research, conferences, seminars and publications over a four-year period.

- The first Sekiguchi fellow commenced studies at the Institute. This Fellowship is available for eligible outstanding students in the Master's program at the Institute of Air and Space Law. This Fellowship flows from a \$300,000 endowment, and should fund Sekiguchi Fellows in perpetuity.
- 2009/2010 is the fourth year of a commitment made by the Boeing Company to a grant of \$500,000, one fifth of which is to be distributed to the McGill University Institute of Air & Space Law [IASL] each year of the five year term (2007-2012). The Boeing Company also granted funds for overseas outreach educational activities over this period, which in part supported the Singapore event described above.
- Published the *Space Security Index*; and
- Published a two Volume issue of the *Annals of Air & Space Law*.
- In addition, our faculty published several books and articles in peer-reviewed journals.

I. DESCRIPTION OF UNIT

Recognizing the critical role that legal education would play in facilitating integration of legal standards globally, in 1951, McGill University established the Institute of Air & Space Law (IASL) to provide graduate legal education for students from around the world. In the ensuing half century, IASL has educated more than 900 students, who today occupy positions in some of the most senior positions in law firms, corporations, governmental and intergovernmental institutions, and universities, in more than 120 countries.

The IASL has become a global leader in education, public service, research, and scholarship in the dynamic fields of aviation and space law. Our faculty is comprised of some of the leading air and space lawyers, scholars, and educators from Europe, Asia, and North America. Our educational programme is taught by some of the most and prominent experts in the field of Air and Space Law. Our library possesses the most comprehensive and unique collection of Air and Space Law documents, books, periodicals and theses in the world.

The IASL's location at McGill University in Montreal offers the benefit of being in a law faculty committed to the trans-systemic study of law in a bilingual civil law province in a common law country. The world's principal intergovernmental aviation agency, the International Civil Aviation Organisation (ICAO) and International Air Transport Association (IATA), the Canadian Space Agency, a major airline and several aerospace manufacturers (including Bombardier, the third largest in the world) are headquartered in Montreal, facilitating the presence of experienced practitioners in the IASL classrooms. The IASL courses are taught by some of the world's most accomplished experts holding doctoral degrees in law and having extensive practical experience.

The Institute of Air & Space Law provides the core degree-granting educational program. The Centre for Research on Air & Space Law (CRASL) produces research, publishes books and periodicals, and produces workshops, seminars and conferences in Canada and abroad.

The objectives of the Institute of Air & Space Law are to:

- *Educate the next generation of air and space lawyers to serve the needs of the air and space community worldwide.* The IASL's educational emphasis is graduate in character and international in scope. Since promulgation of the Warsaw Convention of 1929, the Chicago Convention of 1944, and the Outer Space Treaty of 1967, a guiding principle of both private and public international Air and Space Law has been to create a standard universal and ubiquitous legal regime. By sending the IASL

graduates far and wide with a solid educational background, McGill has facilitated that important objective of worldwide law harmonization.

- ***Offer the IASL students the best graduate education in Air and Space Law available anywhere in the world.*** Though the IASL has been teaching Air and Space Law at McGill University for more than half a century, the Institute constantly strives to improve its educational programme. It has designed a curriculum relevant to the needs of its graduates, to provide a base of relevant practical and theoretical information and analytical and communications skills to enable its graduates to perform their professional duties proficiently.
- ***Publish interdisciplinary research valuable to governmental and multinational institutions, the airline and aerospace industries, and the legal profession.*** Since 1976, the IASL Centre for Research in Air & Space Law has published the *Annals of Air & Space Law* as well as books, reports, studies, and conference proceedings; the IASL faculty publishes widely in other legal periodicals as well. Our faculty also assists international organizations and governmental institutions in their efforts to advance Air and Space Law and policy.
- ***Serve the professional educational needs of the aviation and space law bar.*** The IASL's workshops, conferences and seminars are attended by legal practitioners, government officials, industry leaders and professors from around the world. Over the years, the Institute has been visited by delegates from many nations seeking cutting edge information on emerging developments in Air and Space Law.
- ***Create a thriving intellectual environment and professional global network for the IASL faculty, students, graduates, and experts in the field.*** The IASL brings together some of the world's premiere experts in Air and Space Law under one roof for research, informal discussions, class lectures, seminars and conferences.

The IASL offers three graduate degree programs:

1. The *Graduate Certificate* is awarded after a minimum of one term of residence and on completion of a minimum of fifteen credits of law courses. This can be done in one semester, or two.
2. The *Master of Laws* is awarded upon completion of 45 credits, of which, for IASL students, 24-27 are awarded for successful completion of a thesis, and 18-21 are awarded for successful completion of courses. Normally, a student would be enrolled for two semesters of courses, and at least one additional semester for completion of the thesis. The LLM normally takes about 18 months to complete.

3. The *Doctor of Civil Laws* degree is a research degree, and requires the preparation of a doctoral thesis between 300 to 400 typescript pages in length, exclusive of tables, bibliography and index. Candidates who enter the program in the first year, called DCL1, must follow a program of at least three years' residence in the Faculty. Residence refers to the numbers of terms or years students must be registered on a full-time basis to complete their program. Students holding a with-thesis LL.M. are usually admitted into DCL2, which means that the minimum residence requirement is reduced to two years of study beyond the Master's degree. If the thesis is not completed by the end of the residence period, then the student must register for additional terms. All degree requirements, including the thesis, must be completed by the end of DCL7. The average time to completion is 4 – 5 years.

Every candidate for the Doctor of Civil Law degree must successfully pass a comprehensive examination, usually after about one year in the program. The candidate will be examined by two members of the Faculty, other than the supervisor. The examination requires the submission of (i) a substantial piece of writing (about 10,000 words), and (ii) a detailed research proposal. Following the successful completion of the comprehensive examination, two examiners, along with the supervisor, will comprise the student's thesis committee. This requirement is less than two years old, and appears to be meeting its objective of ensuring that a person conferred a McGill doctoral degree is fully competent and proficient on the substantive issues of which he purports to have expertise. To qualify for the DCL degree, the thesis must be in a form suitable for publication, and must constitute a significant original contribution to legal knowledge.

The IASL is decidedly a graduate international law program, whose curriculum is international in scope, and whose enrolment is predominantly non-Canadian. In recent years, the IASL has hosted, or co-hosted, numerous workshops, seminars and conferences in Montreal and in venues around the world, including off-shore events in recent years in Abu Dhabi, Amsterdam, Brussels, Dubai, New Delhi, Singapore and Macau. Generally, these events have been interdisciplinary in nature, covered a wide range of contemporary issues in aviation and space, and included papers delivered by experts from around the world, including our graduates. Our graduate students have been involved in planning and executing these events. Augmenting our regular faculty, many internationally-prominent experts have lectured at the IASL, particularly those from the United States and Europe.

II. PAST YEAR'S ACTIVITIES

TEACHING AND LEARNING

In recent years, the IASL has accounted for approximately one third of the entering class of graduate students at the McGill University Faculty of Law. For the 2010 class, 32 applicants sought admission to the IASL. 21 offers were made, 18 of which were accepted and two others were deferred. In the Fall of 2010, two new DCL scholars joined the IASL, along with 13 LLM candidates and two graduate certificate students. Shortly after the Fall Semester began, an additional LLM Faculty of Law student transferred into the IASL program, bringing the total number of new students to 18. Added to the 22 returning students still working on their LLM and DCL theses, the total number of students presently enrolled in the IASL is 40.

Data trends for the IASL in recent years are as follows:

TABLE 1 - McGill Law Graduate Students									
	YEAR	2003	2004	2005	2006	2007	2008	2009	2010
Applicants	IASL Thesis LLM	26	24	27	22	42	17	16	8
	IASL Non-Thesis LLM						10	12	12
	McGill Total LLM	250	206	304	214	200	154	153	195
	IASL DCL	5	4	13	2	2	5	8	5
	McGill Total DCL	35	30	45	28	42	30	39	47
	TOTAL APPLICANTS	285	236	349	242	242	184	192	242
Acceptances	IASL Thesis LLM	15	15	16	12	25	12	9	8
	IASL Non-Thesis LLM						10	10	11
	McGill Total LLM	104	104	105	102	105	101	87	119
	IASL DCL	1	1	1	5	1	2	2	2
	McGill Total DCL	8	11	5	16	21	14	14	16
	TOTAL ACCEPTANCES	112	115	110	118	126	115	101	135
Admissions	IASL Thesis LLM	11	10	11	7	22	8	4	6
	IASL Non-Thesis LLM						7	10	8
	McGill Total LLM	52	53	55	55	53	43	40	65
	IASL DCL	1	0	1	3	1	2	2	2
	McGill Total DCL	5	7	5	10	13	10	7	10
	TOTAL ADMISSIONS	57	60	60	65	66	53	47	75
Percent of IASL students to total McGill Law Graduate Students <i>Note: Data does not include Graduate Certificate candidates</i>		21%	17%	20%	15%	35%	32%	34%	24%

Academic year 2010-2011

IASL program	#apps	#admitted	#accepted	#deferred
DCL/IASL	5	2	2	0
LLM-T/IASL	8	8	6	1
LLM-NT/IASL	12	11	8	0
GC/IASL	7	6	2	1



The IASL class of 2010-11 and its Faculty.

In the academic year 2009/2010, the following courses were taught:

First Term Courses (*compulsory courses)

- [ASPL 636](#) Private International Air Law* (3 credits) (Prof. C. Walsh)
- [ASPL 633](#) Public International Air Law* (3 credits) (Prof. P.S. Dempsey)
- [ASPL 637](#) Space Law: General Principles* (3 credits) (Dr. J. Huang)
- [ASPL 633](#) Comparative Air Law (3 credits) (Prof. L. Weber)

Second Term Courses

- [ASPL 613](#) Government Regulation of Air Transport (3 credits) (Mr. P. Fitzgerald)
- [ASPL 614](#) Airline Business and Law (3 credits) (Prof. Dempsey)
- [ASPL 639](#) Government Regulation of Space Activities (3 credits) (Prof. P.S. Dempsey)

For the academic year 2010/2011, the following courses are being offered:

First Term Courses (*compulsory courses)

- [ASPL 636](#) Private International Air Law* (3 credits) (Prof. P.S. Dempsey)
- [ASPL 633](#) Public International Air Law* (3 credits) (Prof. A. de Mestral)
- [ASPL 637](#) Space Law: General Principles* (3 credits) (Prof. R. Jakhu)
- [ASPL 614](#) Airline Business and Law (3 credits) (Prof. P.S. Dempsey)

Second Term Courses

- [ASPL 613](#) Government Regulation of Air Transport (3 credits) (Prof. P.S. Dempsey)
- [ASPL 633](#) Comparative Air Law (3 credits) (Prof. L. Weber)
- [ASPL 639](#) Government Regulation of Space Activities (3 credits) (Prof. R. Jakhu)
- [ASPL 638](#) Law of Space Applications (3 credits) (Prof. R. Jakhu)

Distinguished Guest Lecturer Series

A number of prominent lawyers, jurists, professors and scholars delivered lectures at the IASL during the 2009-10 academic year, including:

- **Ruwantissa Abeyratne**, Air Transport Bureau, ICAO
- **Peter Bombay**, EU Representative to ICAO
- **Montie Brewer**, former President & CEO, Air Canada
- **Rob Briton**, Air Learn, USA
- **Donald Bunker** (Adjunct Professor) Bunker & Associates, Dubai, UAE
- **Martine de Serres**, Legal Counsel, Air Canada
- **Yves Dufresne**, VP, International , Alliances & Regulatory Affairs, Air Canada
- **Stephan Eriksson**, (Adjunct Professor), Liman & Partners, Sweden
- **Anders Gradin**, CAA Sweden
- **Peter Haanappel**, Leiden University, Netherlands
- **Andrew Harakas**, (Adjunct Professor) Clyde & Co., New York
- **David Hayes III**, Trans State Airlines, United States
- **Stephan Hobe**, University of Cologne, Germany
- **Assad Kotaite**, Emeritus President of the Council, ICAO
- **Jim Kreindler**, Kreindler & Kreindler LLP, New York, United States
- **Bruno Legendre**, Canadian Space Agency, Montreal

- **George Leloudas**, Gates & Partners, U.K.
- **Mark Lessard**, Pillsbury Winthrop Shaw Pittman LLP, New York, United States
- **Frank Manuhutu**, Chief Legal Advisor, European Aviation Safety Agency
- **Peter Nesgos** (Adjunct Professor) Partner, Milbank Tweed, New York
- **George Petsikas**, Director, Government and Industry Affairs, Air Transat
- **Steve Pounian**, Partner, Kreindler & Kreindler LLP, New York
- **Francis Schubert** (Adjunct Professor), Corporate Secretary for Skyguide, Swiss Air Navigation Services Ltd.
- **Peter Van Fenema**, (Adjunct Professor) Attorney, Jonker Advocaten, The Netherlands
- **Ludwig Weber**, (Adjunct Professor), ICAO
- **Thomas J. Whalen**, Eckert Seamans Cherin Mellott, LLC, Washington

RESEARCH

In recent years, the IASL and its companion Centre for Research on Air & Space Law (CRASL) have involved its faculty, students and graduates in numerous guest lectures, activities, workshops, seminars, conferences, research projects, and publications that have enlivened the Institute in a way it has not experienced for decades. The Institute of Air & Space Law is a hive of activity in which intellectual energy, innovation and interaction are pursued robustly.

The Annals of Air & Space Law

In its 35th year, the *Annals of Air & Space Law* solidified its reputation as a leading specialized periodical in the field, receiving an A rating legal journal by the Australian Research Council. Professor Dempsey remains at the helm of the publication serving as Editor in Chief, and is ably assisted by the Annals Editor, Mr. Yaw Nyampong, a doctoral candidate at the Institute of Air and Space Law.

The mission of the Annals is to present an annual review of developments in the fields of air and space law. This is achieved through a presentation of full length doctrinal articles, shorter commentaries on succinct legal issues, recent jurisprudence, and the work of International Organizations, reviews of leading new texts, and legislation.

The 35th edition of the *Annals* presented peer-reviewed articles by authors from Africa, Asia, Europe and the Americas, including a number of articles authored by esteemed graduates of the IASL. The articles spanned the most current legal issues including rights of privacy in the context of airport security and the Montreal Conventions of 2009 modernizing the Rome Convention indemnification provisions for damage caused on the ground by aircraft.

At the dawn of a new era for the *Annals*, with the forthcoming launch of web-enabled paid access to the publication, Volume 35 comprised a traditional 465 page Part, plus a second Part of 311 pages which indexes the entire 35 year back history of the *Annals* by subject matter and by author. The indexing is in both official languages of Canada and of the *Annals of Air & Space Law*; English and French. This volume will represent a significant research tool for all scholars in the fields of air and space law, and should serve to allow academics and practitioners to best identify articles from the *Annals* pertinent to their interests, and eventually purchase these through the web store, rather than having to elect whether to purchase the entire volume.

The IASL's research arm, the Centre for Research in Air & Space Law, published several books and reports in 2009-10, including:

1. No. XXXV of the *Annals of Air & Space Law* in two volumes.
2. *The Space Security Index (2010)*.

Research in Progress

Professor Dempsey is pursuing research on aviation liability law, airline management, and national space law legislation. Professor Jakhu has ongoing research projects relating to space debris, space-based solar power, space security, space safety and arbitral rules for settlement of space disputes. Professor de Mestral is researching areas related to Public International Air Law.

Major Grants to the IASL Create Boeing, Arsenault and Sekiguchi Fellowships

Financial support for our graduate students at the Institute of Air & Space Law has been significantly improved with the recent contributions of the Boeing Company, the Arsenault Family Foundation, and the Sekiguchi family.

Boeing provides philanthropy and grants to numerous universities throughout the world, particularly in the discipline of engineering. This grant is the first time Boeing has made a grant to a law faculty. This programme, together with the University policy to assist all doctoral students, should assist in attracting some of the very best students to the IASL. Moreover, the

Institute has been able to attract research grants and other “soft money” funding to provide its graduate students with financial assistance.

Boeing Fellowships are awarded annually on the basis of academic merit to support and recognize outstanding graduate students in the Master’s or Doctoral program at the Institute of Air & Space Law. Up to three or four Boeing Fellows may be designated in any year, and are renewable based on successful academic progress. Recipients are awarded a Fellowship in the range of \$ 18,000 (LL.M.) to \$20,000 (D.C.L.), and will be expected to contribute to ongoing research projects at the IASL, under supervision of faculty members of the Institute. The Boeing grant also has supported offshore educational activities of the IASL in Abu Dhabi, New Delhi and Singapore.

In 2008, the Arsenault Family trust established the Erin J.C. Arsenault Fellowships in Space Governance at McGill University. This \$1 million grant supports student tuition and research, conferences, seminars and publications over a four-year period. The goal of these Fellowships is to support graduate students who wish to engage in the research of peace and security in outer space through law, policy and global governance. The Fellowships are valued at \$18,000 for eligible LL.M. candidates and \$25,000 for eligible D.C.L. candidates.

In 2008, Mrs. Teruko Sekiguchi funded the Sekiguchi Fellowship in honor of her husband, Professor Masao Sekiguchi (1934-2004), LL.M’82. This Fellowship is available for eligible outstanding students in the Master’s program at the Institute of Air and Space Law. This Fellowship flows from a \$300,000 endowment, and should fund Sekiguchi Fellows in perpetuity.



Professor Masao Sekiguchi (LLM 1982)

Summary of Work on Arsenault-Funded Activities

During the second year (30 June 2009 – 1 July 2010), two main activities/tasks were performed: (a) the convening of the Second Session of the International Interdisciplinary Congress of Space Debris; and (b) research and action in space law & governance.

(a) The Second Session of the International Interdisciplinary Congress of Space Debris was convened in Cologne (Germany) in collaboration with the Cologne Institute of Air and Space Law. Expenses for logistics and accommodation for several invited experts were covered by the Cologne Institute. The event was highly successful and the final report of the Congress has been distributed. Several graduate students (Diane Howard, Michael Mineiro, and Yaw Nyampong) of the McGill Institute of Air and Space Law assisted in the organization, compiling and editing the Report of the First Session and writing the report of the Second Session. They were compensated from the funds allocated for the Congress.

(b) Research and Action in Space Law & Governance. Under this item, the following activities were financially supported:

- *Hosting in Montreal* the Space Security Workshop for the 2010 Space Security Index Project;
- *Diane Howard*: for assistance in editing a book entitled “Space Safety Regulations And Standards” published by Elsevier, research for and presentation of a joint paper on “Safety and Liability Aspects of Solar Power Satellites” (co-authored by Ram Jakhu) at the IAASS Conference in Huntsville (the US);
- *Ram Jakhu*: for research in space law and public international law in India, participation in IAC2009 in Daejeon (S. Korea), presentation of two papers and chairing three sessions at the IAASS Conference in Huntsville (the US), and research for and presentation of a joint paper on “The Appropriateness of the Moon Agreement for Lunar Exploration and Use” at the Global Lunar Conference in Beijing (PRC);
- *Michael Mineiro*: for assistance in proof-reading several chapters of the book on “National Regulation of Space Activities” published by Springer; and
- *Yaw Nyampong*: for research on a joint paper on “International Regulation of Emerging Modes of Space Transportation”, co-authored by Ram Jakhu, for publication in a book entitled “Space Safety Regulations and Standards” by Elsevier.

We have started making preparations for the third-year (1 July 2010 – 30 June 2011) activities, including the third Session of Space Debris Congress, that will focus on preparing a draft treaty related to space debris mitigation and remediation.

*Overview of the Erin J C Arsenault Trust Fund Activities by the IASL-Faculty of Law**

<u>Responsible</u>	<u>Activity/Year/Allocated Budget</u>	<u>First Year 1 July 2008 - 30 June 2009</u>	<u>Second Year 1 July 2009 – 30 June 2010</u>	<u>Third Year 1 July 2010 – 30 June 2011</u>	<u>Fourth Year 1 July 2011 -30 June 2012</u>	<u>Totals - Remarks</u>
Institute of Air and Space Law	International Workshop towards seeking an advisory opinion from the International Court of Justice			Planned for May-June 2011: \$50,000		\$ 50,000
	Special Guest Lecturer and Interdisciplinary Roundtable on Space Governance	Completed, 6 May 2009: \$25,000				\$ 25,000
	Project Support for Research and Action in Space Law & Governance	Completed, \$31,000	Completed \$32,000	\$32,000	\$79,000	\$174,000
	International Congress on Space Law and Governance (space debris congress)	First Phase Completed, 7-9 May 2009: \$73,000	Completed Final Phase is planned for 29 and 30 April 2010, in Cologne: \$50,000			\$123,000
	International Workshop on Space Law and Governance (topic t.b.d.: possibly on space debris or space solar power)			\$50,000		\$ 50,000
	International Workshop on Space Law and Governance (possibly on space governance ICAO, UN etc.)				\$100,000	\$100,000
Graduate Programs in Law	Graduate Student Fellowships for Studies of Space Law-related Subjects	One @ \$25,000 for Ph.D.	Two @ \$25,000 for Ph.D. = \$50,000	Two @ \$25,000 for Ph.D. = \$50,000	One @ \$25,000 for Ph.D.	\$294,000
		One @ \$18,000 for LL.M.	Three @ \$18,000 for LL.M. = \$54,000	Three @ \$18,000 for LL.M. = \$54,000	One @ \$18,000 for LL.M.	
TOTALS		\$172,000	\$186,000	\$236,000	\$222,000	\$816,000

* Not included are the activities (and the respective allocated budgets of about \$184,000) related to Graduate Student Fellowships in the Faculties of Arts and Science.

ACADEMIC STAFF

McGill's Institute of Air & Space Law's educational program is solid, and taught by some of the most knowledgeable experts in the world. In addition to the IASL expertise on the regular faculty (including Professors Jakhu, Walsh, de Mestral and Dempsey), and the IASL's adjunct faculty, many experts come from around the world to lecture at McGill.

DEMPSEY, Paul Stephen, Professor and Director

DE MESTRAL, Armand, Professor

JAKHU, Ram, Associate Professor

VLASIC, Ivan, Professor Emeritus

WALSH, Catherine, Professor

Part-time and auxiliary staff

BUNKER, Donald, Adjunct Professor

ERIKSSON, Stephan V. - Adjunct Professor

FITZGERALD, Paul - Sessional Lecturer

HARAKAS, Andrew - Adjunct Professor

MARGO, Rod D. - Adjunct Professor

NESGOS, Peter - Adjunct Professor

SABA, John - Adjunct Professor

SCHUBERT, Francis - Adjunct Professor

VAN FENEMA, H. Peter - Adjunct Professor

WEBER, Ludwig - Adjunct Professor

INVOLVEMENT IN THE COMMUNITY

The IASL has been active in the Montreal community, and the international community. Over the last year, IASL co-sponsored or planned seminars, conferences, workshops and publications with the following organizations:

- The International Civil Aviation Organization;
- The International Air Transport Association;
- The International Institute of Space Law;
- Airports Council International;
- Institute of Air and Space Law, University of Cologne (Germany);

- Social Sciences and Humanities Research Council of Canada;
- Spacesecurity.org;
- Secure World Foundation;
- The Eisenhower Center for Space and Defense Studies;
- Arsenault Family Foundation;
- International Association for Advancement of Space Safety;
- Project Ploughshares;
- International Security Research and Outreach Programme at Foreign Affairs Canada; and
- Centre for Aviation Studies, University of Petroleum and Energy Studies (India)

The Institute of Air & Space Law, in conjunction with the Centre for Research in Air & Space Law, organized and co-sponsored the following workshops, seminars and conferences during 2009-10:

SUMMARY OF IASL SEMINARS AND CONFERENCES DURING 2009-10:

- **International Aviation Liability & Insurance** - presented by the Institute of Air & Space Law at the Hilton Montreal Bonaventure Hotel, 30-31 October 2009, and attended by 216 registrants.
- **Space Security Index Workshop**, held on 8 and 9 April 2010, in Montreal, attended by about 20 experts from around the world.
- **McGill University, University of Cologne International Congress on Space Debris** held on 29 and 30 April 2010, in Cologne, attended by about 30 experts from around the world.
- **International Conference on Air Transport, Air Law and Regulation** - co-organized by the Institute of Air & Space Law with the National University of Singapore Centre for International Law and The Singapore Aviation Academy, held at the Singapore Aviation Academy, 24-26 May 2010.
- **Air Transport: What Route to Sustainability? Third McGill/ICAO pre-Assembly Conference** - organized conjointly with the Air Transport Bureau of ICAO, held at the Hilton Montreal Bonaventure hotel, 26-27 September 2010, and attended by 248 registrants.
- **McGill-PEOPIL Conference on International Aviation Liability & Insurance: Current Issues & Controversies** - held at the Grand Sofitel Hotel, Amsterdam on 8-9 October 2010 and attended by 65 participants.

The following discussion elaborates on the above-listed events:

International Aviation Liability & Insurance, Montreal, 30-31 October 2009

The Institute of Air and Space Law independently hosted this successful first Conference on International Aviation Liability & Insurance. By popular demand, it is envisaged that this will become a repeated fixture in the IASL's calendar.

On the back of significant new international conventions concluded at an ICAO diplomatic conference in Montreal during April and May 2009, this conference presented a programme exclusively focused on legal issues pertaining to liability and insurance. Speakers came from all sectors of the aviation law spectrum, with firm lawyers, in house counsels from airlines and aircraft manufacturers, academics, representatives of international organizations, and government representatives gathering to exchange their insight and opinions.

The conference attracted 216 registrants from 37 different countries, and was sponsored by nine law firms and two Canadian airlines. The Conference became the first IASL event to be recognized by the Quebec Bar Association for mandatory Continuing Legal Education credits. This attracted a considerably greater delegation of local lawyers than has customarily attended IASL conferences in Montreal.

Space Security Index, Montreal, 8-9 April 2010

The IASL again hosted the SSI which gathered 20 experts from around the world. The Workshop is an annual joint research project (of McGill Institute Air and Space Law, Spacesecurity.org, Project Ploughshares, the Cypress Fund for Peace and Security, the Space Generation Foundation, the Simons Centre for Disarmament and Non-Proliferation Research at the Liu Institute for Global Issues, UBC, and the International Security Research and Outreach Programme at Foreign Affairs Canada) which analyzes international events of each year according to eight indicators of space security that encompass the concerns of military, civilian, and commercial space stakeholders from around the world.

Second Session of the Space Debris Congress, Cologne 29-30 April 2010

This second Space Debris Congress was hosted in Cologne following on from the previous successful event in Montreal a year earlier. The event facilitated discussions between thirty global experts on issues pertaining to space debris. Funding for student collaboration on this event was available under the Arsenault fund.

International Conference on Air Transport, Air Law and Regulation, Singapore, 24-26 May 2010

The Singapore Aviation Academy, The National University of Singapore Centre for International Law, and the Institute of Air & Space Law collaborated in the

presentation of this three day conference hosted by the Singapore Aviation Academy.

This event was attended by an enthusiastic audience, largely drawn from Asia Pacific, the Middle East, and Africa. The panels combined the expertise of leading practitioners from the region with global perspectives brought in many cases by IASL students and alumni. The IASL sent a delegation of three Faculty members and four students from Montreal, and these met with alumni from Europe, Oceania, and the America. Contemporary issues debated at the conference included environmental regulation, aviation safety, aviation liability and insurance, and issues pertaining to traffic rights and airline alliances.



In partnership with the Singapore Aviation Academy and the National University of Singapore, the McGill University Institute of Air & Space Law concluded its International Conference on Air Transport, Air Law and Regulation in Singapore, on 24-26 May 2010. Some 130 registrants from 38 States and six continents attended the Conference. Eighteen of the speakers had a McGill affiliation. These included, from left to right above, Juan Carlos Salazar (Colombia, LLM '98); Jiri Hornik (Czech Republic, LLM '00); Professor Paul Dempsey (USA, Director, IASL); Rachel Pachoud (France, LL.M '08); Yaw Nyampong (Ghana, LLM '06; DCL Candidate); Paul Fitzgerald (Canada, DCL Candidate '10); Eric Lippé (Canada, LLM '06); Professor Ludwig Weber (Germany, LLM '75, Adj. Professor); Stefan Kaiser (Germany, LLM'89); Kuan-Wei (David) Chen (Taiwan, LLM Candidate '08); Kevin Bartlett (Australia, LLM'81); Jae Woon (June) Lee (South Korea, LLM'04); Mark Glynn (UK, LLM'06; DCL Candidate); Alejandro Piera Valdes (Paraguay, LLM'99, DCL Candidate); Urban Olson (Sweden, '03) standing outside the Singapore Aviation Academy, where the three-day Conference was held. Not pictured were the following McGill Alumni who attended or delivered a paper at the Conference: Wahyuni Bahar (Indonesia), and Mickey Shan (Taiwan).

Air Transport: What Route to Sustainability, Third McGill-ICAO Pre-Assembly Conference, Montreal, 26-27 September 2010

On the two days preceding the triennial ICAO General Assembly, the Institute of Air and Space Law collaborated with the Air Transport Bureau of ICAO to provide an interactive forum intended to serve as a preparatory exchange of ideas thus formulating debate for the Assembly. Discussions were punctuated by interventions from global experts with varied backgrounds in national government, international organizations, lawyers, academics, and industry representatives. Presentations focused on the three dominant themes facing the supreme body of ICAO: sustainability; the environment; and facilitation in light of security risks facing aviation.

The event was sponsored by airline manufacturers, the industry trade lobby association, an international airline, and other international organizations. 248 delegates from all continents of the world attended the event which was highlighted by an opening address from the Secretary General of ICAO, and keynote speeches from the President of Bombardier Commercial Aircraft, and from the President and Chief Executive Officer of Air Canada. This event was also accredited by the Quebec Bar for continuing legal education credits.



Keynote addresses at the ICAO/McGill Conference were delivered by Raymond Benjamin, Secretary General of ICAO, Gary Scott, President of Bombardier Commercial Aircraft, and Calin Rovinescu, President and CEO of Air Canada.

IASL-PEOPIL Conference on International Aviation Liability & Insurance: Current Issues and Controversies, Amsterdam, Netherlands, 08-09 October 2010

The IASL co-convened this symposium which dealt with developments in liability and insurance law, plus accident investigations and air passenger rights. Professor Dempsey and two DCL candidates spoke at the event which was attended by 65 registrants including a significant number of IASL graduates.



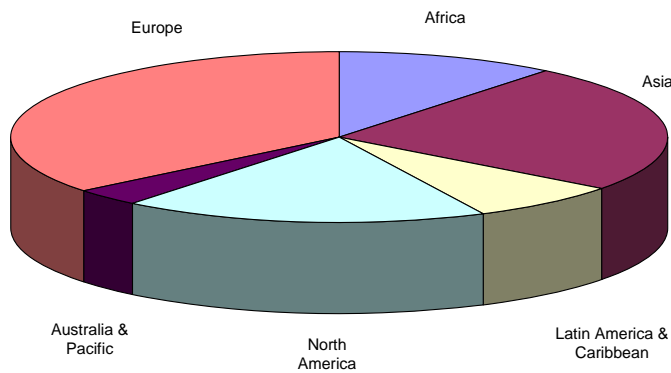
IASL students and graduates in Amsterdam, attending the International Aviation Liability & Insurance in October 2010. Pictured L to R: John Thachet (LLM'95); Paul Fitzgerald (BCL/LLB'88 and DCL candidate); Diane Howard (LLM'09 and DCL candidate); Stephan Eriksson (class of '03); Jae Woon (June) Lee (LLM'06); Andrew Harakas (LLM'90); Philip Chrystal (LLM'85); Yaw Nyampong (LLM'05 and DCL candidate); Darcy Beamer-Downie (LLM'00); Joseph C. Wheeler (graduate certificate candidate); Olivier Ferrante (LLM'00); and Paul Dempsey, Director of the IASL.

Eisenhower Center/IASL Workshop on Asia, Space and Strategy

Attended by approximately 40 experts on space policy, with a heavy representation from the Peoples Republic of China, the Eisenhower Center for Space and Defense Studies, in cooperation with McGill University's Institute of Air & Space Law, held a Workshop on Asia, Space and Strategy at the McGill Faculty of Law on August 9, 2010. Panels addressed "National Interests and Space Security", "Militarization vs. Weaponization of Space", "Space as a Domain of Operations and Competition", "Maintaining the Space Environment: National Approaches, Cooperative Agreements and Multi-lateral Dialogue", and "Future Options Ahead: Stepping Stones or Stumbling Blocks?"

Alumni Relations

McGill Institute of Air & Space Law Graduates Worldwide



In November 2009 and November 2010, our IASL Alumni(ae) Association hosted an educational session on Masters Thesis research and writing approaches for our LL.M. students, and in April 2010, hosted a graduation dinner for the 2009-10 class. President of the Association, Ms. Ghislaine Richard, and Secretary-Treasurer John Saba organized these events. In 2010, John Keenan was elected the new IASL Alumni President.

On 22-24 April, 2010, the European IASL Alumni(ae) Association held its 12th Biennial Meeting in Prague, Czech Republic.





Despite the Icelandic volcanic cloud over Europe, more than 20 European graduates of the IASL gathered in Prague, at a meeting arranged by President-Elect Jiri Hornik, LL.M'02.

Communications and Marketing

In Spring 2010 the Institute finalized its revised brochure. This flagship publication showcases the IASL for prospective students and collaborators. Students and Faculty alike continue to take copies of the brochure with them when they travel across the world attending universities, conferences, and other academic and industry-led events, thus ensuring the global visibility of the IASL banner.

As the definitive mode of modern communication with the global community, the IASL is committed to maintaining an updated, informative, and useful website. Website upgrading has been a priority of the IASL since 2008, and this has taken shape over the last year. The first agreed stage for improvement was to utilize the website to provide an automated event registration system.

In Summer 2010, the IASL hired on a temporary basis a website manager who is a graduate of the Institute and has website design experience. The goals of this position are to make more user-friendly and informative the webpage of the Institute. The website manager was able to update continuously in real-time the IASL webpage with the presentations and documentation supporting the McGill-ICAO Pre-Assembly Conference in September 2010, a role which was greatly appreciated by attendees. Forthcoming improvements to the website will see profiles of young IASL alumni (as planned for 2009-2010), and greater information on the theses of graduates.

Future phases of website improvement include retailing publications of the Centre for Research in Air & Space Law, providing a networking forum for current students and alumni, and providing online distribution of the contents of the Annals of Air & Space law in electronic format for the first time. The

challenge here is to ensure that online distribution proves revenue positive through greater paying readership rather than revenue negative through reduced physical sales. In anticipation of launching online vending, the back editions of the Annals have now been scanned into .pdf format, and graduate students are working as quickly as possible to draft English language abstracts for past copies of the Annals which in previous formats did not routinely include these.

Invited Talks and Papers by Faculty:

Professor Paul Stephen Dempsey:



Professors Paul Dempsey and Ram Jakhur, and IASL graduates Axelle Cartier and Professor Stephan Hobe, participated in the 43rd International Air & Space Law Conference at the Korean Aerospace University

- “Current Developments in International Air Law”, 43rd International Conference on Air and Space Law, Korea Aerospace University, Seoul, Korea;
- “Accidents and Injuries in International Air Law: The Clash of the Titans,” China University of Political Science and Law, Beijing, China;
- “Air Carrier Tort Liability in International Aviation”, Northwestern University of Political Science and Law, Xi’an, China;
- Several Lectures on International Air Law, Singapore Aviation Academy Seminar on International Air Law: Concepts and Applications, and Singapore Aviation Academy Civil Aviation Management Programme, Singapore;

- Three papers delivered: “The Airline Industry: Is It Emerging from the Financial Crisis”, “Aviation Safety: ICAO Audits and National ‘Blacklisting’”, and “Airline Alliances, Predation, Mergers and the Competition Laws”, McGill/SAA/National University of Singapore Conference on Current Developments in International Aviation, Singapore;
- “Liability for Surface Damage” and “Liability of Air Navigation Service Providers,” PEOPIL/McGill Conference on International Aviation Liability and Insurance, Amsterdam, the Netherlands;
- “The Way Forward: Addressing the Financial Crisis in International Aviation,” ICAO/McGill Conference on International Aviation: Which Route to Sustainability?, Montreal, Canada;
- Three papers presented: “Airport Privatization: Regulatory Challenges,” “Airline Blacklisting by the US and EU”, and “Emissions Trading and the Environment” at the Conference on New Threats and Challenges in Civil Aviation, Bucharest, Romania;
- “Aviation Security: New Threats and Challenges,” Indonesia Civil Aviation Seminar: Aviation Safety and Airport Security, Jakarta, Indonesia.



Sponsored by the Canadian Alumni in Indonesia, several IASL graduates were instrumental in putting together the Indonesia Civil Aviation Seminar on Aviation Safety and Airport Security in Jakarta, Indonesia, on May 27, 2010. These included McGill graduates Wayhuni Bahar (1990), Adi Cahyo (1984), Prof. Dr. H.K. Martono (1978), and Edward Silooy (1982). Speakers at the Seminar included Prof. Paul Stephen Dempsey (1986) and Prof. Ludwig Weber (1975). The Seminar was held in cooperation with the Indonesian Ministry of Transportation and the Embassy of Canada. Professors Dempsey and Weber spoke at the Conference.



IASL graduates Sorana Pop and Adrian Cioranu were instrumental in the organization of the Bucharest Air Law Conference: New Threats and Challenges in Civil Aviation. Held in Bucharest, Romania, on May 2-4, 2010, the Conference addressed issues involving both Public and Private International and National Air Law, including the Chicago Convention in the New Century, national legislation, aviation business law, European law, liberalization, security and liability. In addition to Ms. Pop (LLM 2010) and Mr. Cioranu (LLM 2003), IASL speakers included Jiefang Huang (LLM 1983, far left) and Paul Stephen Dempsey (DCL1985, fourth from left).

Professor Ram Jakhu:

- “Aerospace Transportation Space Tourism): some facts, trends, realities, legal challenges,” on 11 June 2010 at Civil Aviation University, Tianjin, Peoples Republic of China.
- “International Regulation of Radio Frequencies and Orbital Positions” on 9 June 2010 at University of Political Science and Law, Beijing, Peoples Republic of China (Prof. Li Juqian, cell: 136-7121-9752).
- “Appropriateness of the Moon Agreement for Lunar Exploration and Use” on 31 May 2010 at Global Lunar Conference, held from 31 May to 3 June 2010, in Beijing, Peoples Republic of China.
- “Safety and Liability Aspects of Solar Power Satellites” in the Proceedings of the 4th Conference of the International Association for Advancement of Space Safety, held from 19 to 21 May 2010, in Huntsville, Alabama, the US. (with Diane Howard)
- “Space Security: Legal Implications” on 30 March 2010, at National Workshop on Space Law and National Security, organized by Centre for Air Power Studies, New Delhi, India.

- "Fundamentals of Space Law," and "Rule of International Law or Rule of Unilateral Force in Space" on 15 March 2010 at National Law Institute University, Bhopal, India.
- "Space Law: Where from - Where to" at the Centre for International Legal Studies, Jawahar Lal Nehru University, New Delhi, India, on 9 March 2010.
- "Round Table Discussion on Asian Perspectives of International Law", on 5 March 2010, at the School of International Studies, Jawahar Lal Nehru University, Delhi, India.
- "The State of Space-Law Making" on 4th March 2010, at the International Conference on Air and Space Law, held at National Law University, Delhi, India.
- "Teaching, Training and Research in Canadian Educational Institutions," on 13 **February** 2010, at the Workshop on Faculty Development, organized by and at Regional College of Management Autonomous, Bhubaneswar, India.
- "Aviation Law and Organizations", on 13 February 2010, at the Regional College of Management Autonomous, Bhubaneswar, India.
- "Risks Posed by Increasing Space Debris", on 11 February 2010, at University of Petroleum and Energy Studies, Dehra Dun, India.
- "Regulation of Satellite Remote Sensing: International Perspective", on 11 February 2010, at the Centre for Space Science and Technology Education in Asia and the Pacific, affiliated to United Nations, Dehra Dun, India.
- "Role of Law in Aerospace Industries", on 9th February 2010, at University of Petroleum and Energy Studies, Dehra Dun, India.
- "Challenges to Space Security," on 25 January 2010, at the Institute of Advances Studies, Bangalore, India.
- "International Liability Issues of Collisions in Space" on 17 January 2010 at the 7th Indian Society of International Law International Conference on Legal Regimes of Sea, Antarctica, Air and Space, in New Delhi, India.
- "Legal Regime of Air" at the 7th Indian Society of International Law International Conference on Legal Regimes of Sea, Antarctica, Air and Space, in New Delhi, India on 17 January 2010.
- "Question of Liability in Cosmos 2251 and Iridium 33 Collision in Space", at the 43rd International Conference on Air and Space Law and Policy, organized by The Korean Association of Air and Space Law, Korea Aerospace University, and The National Research Foundation of Korea, in Seoul, South Korea, on 16 October 2009.
- "Space Law and Possibilities for an International Space Treaty" at International Symposium on Solar Energy from Space, organized by SPACE Canada & the International Academy of Astronautics, Ontario Science Centre, Toronto, on September 8, 2009.
- "Current Status of the UN Space Treaties and the Vienna Convention on the Law of Treaties in Pacific Rim Nations" presented on 22 May 2009 at the Pacific Rim National Space Law Summit, organized by The University of

Mississippi National Center for Remote Sensing, Air, and Space Law, at East West Center in Honolulu, Hawaii, USA, on 20-21 May 2009.

- “Various Regulatory Mechanisms-Options for Space Debris Mitigation” presented on 8 May 2009 at the International and Interdisciplinary Congress on Space Debris, held at the Faculty of Law, McGill University, Montreal, Canada, on 7-9 May 2009.
- “Spaceports : Some Facts And Emerging Regulatory Issues” presented on 16 April 2009 at the International Conference on the Air Transport, Air & Space Law and Regulation, held in Abu Dhabi, 15-16 April 2009.
- “National Regulation of Space Activities,” given on 14 April 2009 at the Workshop on the Air Transport, Air & Space Law and Regulation, held in Abu Dhabi, on 12-14 April 2009.
- “International Regulation of Space Activities,” given on 14 April 2009 at the Workshop on the Air Transport, Air & Space Law and Regulation, held in Abu Dhabi, on 12-14 April 2009.



Professor Ram Jakhu addressing the International Institute of Space Law meeting in Prague, Czech Republic

Professor Ludwig Weber

- “Legal Aspects of Aviation Management”, Lecture presentation at Ravenshaw University/Institute of Professional Studies and Research, Cuttack/Bhubaneswar, India, 31 October 2009
- “Current Developments in International Air Law”, Presentation given to the Directorate General of Civil Aviation and its staff, Government of India, New Delhi, 11 February 2010
- “CASP-AP Model Regulations on Aviation Security”, Presentation given to the 7th Steering Committee Meeting of the Cooperative Aviation Security Programme - Asia Pacific (CASP-AP), Bali, Indonesia, 28 April 2010-10-19

- “Enhancement of the Legal Framework for Aviation Security”, Presentation given to the International Conference on Air Transport, Air Law and Regulation, Singapore, 24 – 26 May, 2010
- “Aircraft Finance and Registration of Security Interests”, Presentation given to the International Conference on Air Transport, Air Law and Regulation, Singapore, 24 – 26 May, 2010
- “Enhancement of the Legal Framework for Aviation Security, with specific reference to the Asia Pacific region”, Presentation given to the CALINDO Seminar on Air Transportation Safety and Airport Security, Jakarta, Indonesia, 27 May 2010
- “Establishment of a Civil Aviation Authority in India”. Presentation given before the Ministry of Civil Aviation, Government of India, New Delhi, India, 4 August 2010

Student Activities

IASL students continue to take opportunities to be as involved as possible in the international aerospace communities, as well as establishing their community with their peers and alumni at the Institute, and more broadly at the Faculty. The President of the IASL Class also serves as representative on the Faculty’s Graduate Law Students’ Association. The following paragraphs indicate some of the activities undertaken by enrolled students, and more details can be found in the appendix of this report.

I - Conferences:

Graduate students and professors of the Institute participated in the most important space-related event of the year, which occurred September 27 - October 1, 2010 in Prague (Czech Republic).

Professor Ram Jakhu presented a paper at the Scientific-Legal Roundtable on small satellite missions. DCL candidate Diane Howard made a presentation of the paper on the legal issues related to the gathering of space solar power that she co-authored with Professor Jakhu.

DCL candidate Michael Mineiro gave an overview of his research, particularly the application of the public choice theory to the US commercial communication satellite export controls. DCL candidate Catherine Doldirina presented two papers: one on the influence of the European Union harmonised law on the development of the market for remote sensing data, and another on the scope of the international obligation to protect environment of outer space. Finally, LLM student Michael Dodge had a poster presentation on the implications of the GPS/ Galileo/ GNSS Agreement for peaceful international relations. A number of IASL alumni were also present.



DCL candidate Diane Howard

DCL candidate Catherine Doldirina

Contributions to the sessions of the International Astronautical Congress are important for both research at the Institute, as well as for the outreach with regard to its programme and activities, as the event gathers all leading actors and specialists within the field of space activities in general and of space law in particular.

IASL Conference on International Aviation Liability and Insurance, Montreal, Canada - All of the 2009/2010 students, along with some of the returning students attended the Institute's Fall Conference on liability and insurance. They also assisted wherever requested and needed in the preparations for and the on-site organization of the conference.

International Astronautical Congress and the 52nd Space Law Colloquium, Daejeon, Republic of Korea - A sizeable delegation of students attended the largest global gathering of space law expertise. IASL Students presented a series of research papers, these were capped by Catherine Doldirina, DCL Candidate who received the Diedericks-Verschoor Award and Prize for the best paper by a young author.

Space Security Index, Montreal - Most of the IASL students attended and were involved in the 2010 Space Security Index.

Second Session Second Session of the International Interdisciplinary Congress of Space Debris, Cologne - A number of students were able to attend this continuance of the space debris congress commenced in Montreal in 2009.

International Conference on Air Transport, Air Law & Regulation, Singapore - Three doctoral students and three returning LL.M. students presented papers and moderated panels at this event.



IASL students attending the IASL/SAA/NUS Conference in Singapore. From L-R Mickey Shan (Taiwan), Rachel Pachoud (France), Stephan Kaiser (Germany), Urban Olsen (Sweden), Professor Francis Schubert (Switzerland), Professor Paul Dempsey (USA), Yaw Nyampong (Ghana), Mark Glynn (UK), and David Kuan-Wei Chen (Taiwan).

McGill/ICAO Pre-Assembly Conference: Air Transport: What Route to Sustainability, Montreal – Almost all of the class of 2010/2011 collaborated in making this event a major success through their attendance and their support provided throughout the preparation and hosting of the Conference. Two doctoral students participated through moderating and speaking on panels.

International Astronautical Congress and the 54th Space Law Colloquium, Prague, Czech Republic – All of the IASL's space focused doctoral candidates made presentations at this event, and were joined by an LL.M. candidate who presented a poster.

PEOPIL/IASL Conference on International Aviation Liability & Insurance, Amsterdam, Netherlands – Two of the IASL's doctoral candidates spoke at this event while another DCL candidate was in attendance.

Other Conferences at which IASL students presented included: The McGill-GLSA Annual Conference; Canadian Space Summit; 50th Anniversary Conference of the Latin American Association of Air & Space Lawyers; IAWA annual conferences in Brussels 2009 and Boston 2010; Eisenhower Center for Space and Defense Studies; European Space Policy Workshop on Current Legal Issues for Satellite Earth Observation; and Canadian Space Commerce Association Annual Meeting.

II. Mooting

As has become tradition, the IASL sent a team of two of its own students, and a Faculty LLM Candidate with interest in Space Law to the 2010 Manfred Lachs Space Law Moot Court Competition, North American Rounds held annually in Washington DC. In the absence of Professor Jakhu on sabbatical leave, the team was coached by DCL candidate Michael Mineiro. The team ranked seventh and did not advance to the global finale held in Prague.

The IASL marked a new tradition in 2010 by entering the first Sarins International Air Law Moot Court. The team of three IASL LLM candidates, and their coach, Professor Dempsey, travelled to the finals in Delhi, India, where they secured second place and also won the prize for best respondent oralist. Team Member Ondrej Fabrici remarked that this event “provided an excellent opportunity for all involved to test and further develop problem-solving, team-management, and communication skills”.

III - Jobs, student positions and research

Both first year and returning students interested in space law researched and worked for the Space Security Index. Three students secured internship positions within ICAO. The Institute provided casual employment to a number of students for research assistance, publication editorships, and for providing coordination and administrative support for the IASL’s conferences, events, and website upgrading.

IV - Field trips and get togethers

Class President 2009-2010, Ondrej Fabrici organized field trips to Ottawa and to IATA. Class President 2010-2011, Michelle Ancona is already actively working at ensuring a full roster of industry and government visits for the 60th class of the IASL. Already planned are visits to Bombardier, Government of Canada agencies and the Canadian Space Agency. Students continue to sense a strong affiliation to the Institute and organize a series of social events and gatherings amongst themselves, as well as attending the Christmas Cocktail, and Graduation Dinner organized by the Institute.

V. - Teaching

The Institute continues to promote teaching opportunities to its students, especially at the doctoral level. Professors Dempsey and Jakhu actively encourage doctoral candidates to present in the classroom, and to give workshops in Montreal and overseas where the opportunity arises. DCL candidate Catherine Doldirina won a Faculty teaching fellowship for 2010/2011 and is co-teaching the Copyright course in the Faculty of Law with Professor Tina Piper.

VI. - Scholarships

In addition to the numerous generous awards which the Institute grants annually to incoming students, IASL students also continue to gain academic recognition from the broader community. LLM Candidate Rachel Pachoud won two major aviation fellowships in Fall 2009. These were bestowed by the International Aviation Womens Association (IAWA), and by the Wings Clubs at events held in Montreal and in New York City. In October 2010, Michelle Ancona succeeded Ms. Pachoud by becoming an IAWA fellowship holder.

VII - Representation

In 2009/2010, two members of the IASL sat on the five person Graduate Law Students Association which represents student interests across the range of Faculty of Law committees, and to the Graduate Students Office. One LLM Candidate also represents the IASL before the Post-Graduate Students Society (PGSS), and serves on a number of committees within that society.

IASL Externship Program

The IASL remains committed to establishing an externship programme which will give IASL students invaluable experience in developing their careers in their chosen field. The externship programme was selected due to its flexibility and lesser time constraints which make it a better fit for the Faculty LLM programme than an internship programme which would usually be entered into on a for credit basis. Delays have been encountered in this development due to the multiple prints of the new IASL brochure. It is intended by year-end to commence mailings seeking collaborators in the programme, this may be done in conjunction with new IASL brochures, and promotional materials relating to the 60th Anniversary of the IASL and forthcoming major events.

Respectfully submitted,



Paul Stephen Dempsey
Tomlinson Professor of Global Governance in Air & Space Law
Director, Institute of Air & Space Law

ADDITIONAL INFORMATION ATTACHED

- Appendix I: IASL Students registered in 2010-11
- Appendix II: Honours, Awards and Prizes
- Appendix III: Publications
- Appendix IV: Student publications & presentations

APPENDIX I**INSTITUTE OF AIR AND SPACE LAW
CLASS LIST 2010-11****RETURNING STUDENTS**

Bouvet, Isabelle	DCL	France
Chen, Kuan-Wei	LLM-T	Taiwan
Dodge, Michael Stephen	LLM-T	USA
Doldirina, Catherine	DCL	Georgia
Fabrici, Ondrej	LLM-T	Slovakia
Garcia, Marcelo	LLM-T	Canada
Glynn, Mark	DCL	UK
Howard, Diane	DCL	USA
Luongo, Norberto	DCL	Argentina
Mineiro, Michael	DCL	USA
Nargund, Mathuranath Kshama	LLM-T	India
Nyampong, Yaw	DCL	Ghana
Piera, Alejandro José	DCL	Paraguay

NEW STUDENTS

Aganaba, Timiebi Uyu	LLM-T	UK/Nigeria
Aguilar, Luis	LLM-NT	Costa Rica
Ancona, Michelle	LLM-T	Mexico
Blake, Duncan	LLM-T	Australia
De La Puente, Rodrigo	LLM-NT	Peru
Fitzgerald, Paul	DCL	Canada
Hocking, Auguste	LLM-NT	Australia
Jung, Sungmin	LLM-NT	South Korea
Kiguta, Elizabeth	GC	Kenya
Ko, Jessika	DCL	Taiwan
Mézi, Émilie	LLM-NT	France
Mulier, Mélanie	LLM-NT	France
Pemmaiah, Mithun	LLM-NT	India
Plücken, Milan	LLM-T	Germany
Schwomeyer, Patrick	LLM-T	USA
Singh, Rudranshu	LLM-NT	India
Vasilogeorgi, Isavella	LLM-T	Greece
Wheeler, Joseph	GC	Australia

APPENDIX II – HONORS AWARDS AND PRIZES

The following Prizes and Scholarships were awarded:

- The Nicolas Mateesco Matte Prize: *Robin Holman*(Canada)
- The Jose Bogolasky Prize: *Inna Smirnova* (Russia)
- DCL BOEING Fellowship: *Michael Christopher Mineiro* (USA); *Norberto Ezequiel Luongo* (Argentina); *Jessika Ko* (Taiwan)
- LLM BOEING Fellowship: *Michael Steven Dodge* (USA)
- LLM ARSENAULT Fellowship: *Timiebi Aganaba* (UK/Nigeria); *Isavella Vasilogeorgi* (Greece)
- DCL ARSENAULT Fellowship: *Diane Howard*(USA)
- SEKIGUCHI Fellowship: *Milan Plücken*(Germany)

APPENDIX III – FACULTY PUBLICATIONS**Professor Paul Stephen Dempsey:****Books:**

- AVIATION LIABILITY LAW (Lexis Nexis 2010) – more than 1,000 pages, looseleaf
- AIR TRANSPORTATION: FOUNDATIONS FOR THE 21st CENTURY (co-authored with Prof. Laurence Gesell, Coast Aire 3rd ed. 2010).
- SPACE LAW (Oxford University Press 2010) (five-volume treatise updated quarterly).

Book Chapters:

- “ICAO’s Legal Authority to Regulate Aerospace Vehicles”, in Space Law: Legal Contours (P. Kumar, ed. 2010) (with Michael Mineiro).
- “Space Traffic Management: A Vacuum in Need of Law”, in Outer Space: Warfare and Weapons (P. Kumar, ed. 2010) (with Michael Mineiro).
- “Haftung des Luftfrachtführers”, in Kölner Kompendium Lufthrecht (Carl Heymanns Verlag 2010).
- “Overview of the United States Space Policy and Law”, in National Regulation of Space Activities (R. Jakhu ed., Springer 2010).

Articles:

- “*Montreal v. Brussels: The Conflict of Laws on the Issue of Delay in International Air Carriage*”, 35 Air & Space Law 297 (2010).
- “Independence of Aviation Safety Investigation Authorities: Keeping the Foxes from the Henhouse”, 75 Journal of Air Law & Commerce 223 (2010).
- “Accidents and Injuries in International Air Law: The Clash of the Titans”, XXXIV Annals of Air & Space Law 285-310 (2009); republished in the Korean Journal of International Law 235-70 (2009).

Professor Ram Jakhu:

- Edited a book on “National Regulation of Space Activities” published by Springer Publishing House, the Netherlands.
- Edited a book on “Space Safety Regulations and Standards” published by Elsevier Publishing House, the United Kingdom.
- Edited and directed a study on “Space Tourism in India” for University of Petroleum and Energy Studies, Dehra Dun, India.

- Edited and significantly contributed to an international Study on “ICAO for Space” for International Association for Advancement of Space Safety.
- “Space Security and Competition for Radio Frequencies and Geostationary Slots”, *ZLW* 58. Jg. 1 (2009), 74-93. (with Karan Singh).
- “The case for enhanced India-Canada space cooperation”, *Space Policy*, (2009), 1-11.

Book Chapters:

- “Iridium-Cosmos Collision and its implications for Space Operations” in Schrogl, Kai-Uwe et al (eds.) *Yearbook on Space Policy: 2008/2009, Setting New Trends*, SpringerWienNewYork, 2010, pp. 254-275.
- “Regulation of Space Activities in India” in Ram S. Jakhu (ed.), *National Regulation of Space Activities*, Springer Publishing House, the Netherlands, 2010, pp. 153-198 (with Ranjana Kaul).
- “Regulation of Space Activities in Canada” Ram S. Jakhu (ed.), *National Regulation of Space Activities*, Springer Publishing House, the Netherlands, 2010, pp. 81-108.
- “International Regulation of Emerging Modes of Space Transportation”, in Joseph N. Pelton and Ram S. Jakhu (eds.), *Space Safety Regulations and Standards*, Elsevier Publishing House, the United Kingdom, 2010, pp.215-238. (with Yaw Otu M. Nyampong)
- “The Effect of Globalisation on Space Law” in Stephane Hobe (ed.), *Globalisation – the State and International Law*, Franz Steiner Verlag, 2009, pp. 71-77.

Prof. Armand de Mestral

Book Chapters:

- Armand de Mestral, "The Lisbon Treaty and the Expansion of EU Competence Over Foreign Direct Investment and the Implications for Investor-State Arbitration," in Karl P. Sauvant editor, *Yearbook on International Investment Law & Policy 2009-2010* (New York: Oxford University Press, 2010)

APPENDIX IV - IASL STUDENT PUBLICATIONS & PRESENTATIONS**Catherine Doldirina - DCL Candidate****Publications:**

- Chapter co-author: "Intellectual Property & Licensing" in "Contracting for Space" (Lionel J. Smith ed.)
- Chapter: "The Impact of Copyright Protection on the Availability of Remote Sensing Data" in "Earth Observation: Evidence & Law" (R. Purdy ed.)
- "A Rightly Balanced Intellectual Property Rights Regime as a Mechanism to Enhance Commercial Earth Observation Activities", *Acta Astronautica* [peer-reviewed journal]

Lectures:

- Outer Space & Law, Tbilisi State University
- European Competition Law, European Humanities University
- Protection of Remote Sensing Satellite Data, Strathclyde University & IASL

Presentations:

- "Are Intellectual Property Laws an Impediment to the Development of Collaborative Earth Observation Missions?" International Astronautical Congress, Daejeon, Republic of Korea
- "A Rightly Balanced Intellectual Property Rights Regime as a Mechanism to Enhance Commercial Earth Observation Activities", International Astronautical Congress, Daejeon, Republic of Korea (winner of Diedricks-Verschuur Award & Prize)
- "What is Privacy?", European Space Policy Institute workshop on Current Legal Issues for Satellite Earth Observation
- "Legal Issues regarding IGMASS project, International Symposium Space and Global Security of Humanity", Riga
- "Law & Remote Sensing Activity", SeaSpace Remote Sensing Conference, Hawaii
- "How Far Reaching is the Obligation to Protect the Environment of Celestial Boddie according to Contemporary International Law?", International Astronautical Congress, Prague, Czech Republic.
- "Is the EU Legal Regime of Remote Sensing Data Protection Facilitating the Development of the Market of Applications?" International Astronautical Congress, Prague, Czech Republic.

Diane Howard, DCL Candidate**Publications:**

- “Safety and Liability Aspects of Solar Power Satellites” IAASS proceedings Spring 2010 (with Professor Ram Jakhu)
- “One man’s ceiling is another man’s floor: A comment on the failed MDA/ATK transaction” (2010) 35-1 *Annals of Air & Space L* 441 - 49
- *Space Security Index 2010*, Chapter Five - Commercial Space (Canada: Project Ploughshares)

Mark Glynn, DCL Candidate:**Publications & Reports:**

- “One Hand Giveth, the Other Taketh Away: Emissions Trading Schemes & Barriers to Expansion in a Liberalized Aviation Market” - Strategic Knowledge Clusters Project, Carleton University
- “Sky-high: Charges on Canadian Air Services through the Gold-plated Roof” - Strategic Knowledge Clusters Project, Carleton University
- Aviation Policy Report - Government of Pakistan”- co-authored with Richard Janda, working through the World Bank
- Aviation Competition Policy Brief - Canadian Competition Bureau - co-authored with Richard Janda
- Book Review of Risk and Liability in Air Law (George Leloudas) in XXXV *Annals of Air & Space Law*

Conference Presentations:

- “Challenges to Improving Aviation Environment Policy” - International Conference on Air Transport, Air Law & Regulation, Singapore, 24-26 May 2010
- “EU:US Part II: The Second Stage Air Services Agreement” - International Conference on Air Transport, Air Law & Regulation, Singapore, 24-26 May 2010

Michael Mineiro - DCL Candidate**Publications:**

- “U.S. Export Controls and Canadian Autonomy to Collaborate on International Space Missions” 26(2) *Space Policy* 99 (2010). (Peer-Reviewed)

- “Beyond the Looking Glass: The Application of Public Choice Theory to U.S. Commercial Communication Satellite Export Controls” *Proceedings of the 53rd IISL Colloquium on the Law of Outer Space* (2010).
- “A Call to Action: A Proposal for the Establishment of a TLA Modality Committee on Space Transportation” 11(5) *Transportation Law Association – The Transportation Lawyer* (2010).
- “An Intersection of Air & Space Law: Licensing and Regulating Suborbital Human Space Flight Operations” 22(4) *American Bar Association – Air & Space Lawyer* (2009).
- “ICAO’s Legal Authority to Regulate Suborbital Flight” Chapter in Ram Jakhu & Joseph Pelton, eds. *Space Safety Regulations & Standards* (London: Elsevier, 2010) (with Dr. Paul Dempsey).
- Book Review of “The Development of Outer Space: Sovereignty and Property Rights in International Space Law” (Thomas Gangale)” 35 *Annals of Air and Space Law* (2010).

Presentations:

- “Beyond the Looking Glass: Public Choice theory and U.S. Comsat Export Controls”, 53rd IISL Colloquium on the Law of Outer Space, Prague, Czech Republic
- “Canadian and U.S. Space Technology Export Controls”, 2010 Canadian Space Commerce Association Annual Meeting, Toronto, Canada
- “The Impact of U.S. Export Controls on Canadian International Multi-use Mission Collaboration: An Assessment with Recommendations for Canadian Space Policy” 2009 Canadian Space Summit, Royal Military College, Kingston, Canada

Lectures:

- “The Enigma of U.S. Export Restrictions on Chinese Commercial Launch Services” at China Political Science and Law University, Beijing, 3 June 2010

Yaw Nyampong - DCL Candidate

Publications:

- Yaw Otu M. Nyampong & Ram S. Jakhu, "International Regulation of Emerging Modes of Space Transportation" in Joseph N. Pelton & Ram S. Jakhu, eds., *Space Safety Regulations and Standards*, (Oxford, UK & Burlington, VT: Elsevier, 2010)
- Yaw Otu M. Nyampong, "Insurance" in Paul S. Dempsey, ed., *Aviation Liability Law*, (Toronto, ON: Lexis Nexis, 2010)

- Also edited and arranged for the production of Vol. XXXV (2010) Parts I & II of the *Annals of Air and Space Law*.

Conference Presentations and Other Academic Activities:

- "An Analysis of the Unlawful Interference Compensation Convention of 2009" (Presentation delivered at the Conference on International Aviation Liability and Insurance, October 30-31, 2009, The Hilton Montreal Bonaventure Hotel, Montreal)
- "Aircraft Noise: A Local Issue with Global Proportions" (Presentation delivered at the International Conference on Air Transport, Air Law and Regulation, May 24-26 2010, Singapore Aviation Academy, Singapore)
- "Regulatory Aspects of Planetary Environmental Protection" (Lecture delivered to the Astrobiology Class at the Department of Earth and Planetary Sciences, McGill University, April 12, 2010)

Alejandro José Piera - DCL Candidate

Publications:

- "La Jurisdicción en las Formas Modernas de Contratación del Transporte Aéreo Internacional de Pasajeros" co-authored with Norberto Luongo in *Revista de Derecho del Transporte*, No. 4 (2010) Editorial Marcial Pons (Spain);
- "Unruly and disruptive passengers: do we need to revisit the international legal regime?" co-authored with Michael Gill. *Annals of Air & Space Law*;
- "Líneas Aéreas Tradicionales y Líneas Aéreas Low-Cost. Relaciones, Diferencias y Perspectivas de Evolución Futura." jointly written with Norberto Luongo. *Asociacion Latinoamericana de Derecho Aeronautico y Espacial*. First Prize.
- "Uruguay: Acción de Inconstitucionalidad contra la Ratificación de CM99. Implicancias para el Transporte de Mercancías por Vía Aérea" in *Revista de Derecho del Transporte*, No. 2 (2009) Editorial Marcial Pons (Spain)
- "El Impacto de los Documentos Electrónicos en el Transporte Aéreo: El Billeto de Pasaje" co-authored with Norberto Luongo. *Revista Jurídica La Ley Paraguaya S.A.* (September 2009).

Conference Presentations & Lectures:

- International Conference on Air Transport, Air Law and Regulation, Singapore, 24 - 26 May 2010 - Panel on Environmental Regulation: ICAO Standards, Unilateral Emissions Trading or Taxing Schemes?. Title of Presentation: "Aviation & Climate Change - Beyond COP 15"
- Participated on the Roundtable panel "Strategies for Immediate Survival and Eventual Prosperity" ICAO - McGill Worldwide Conference on Air Transport: What Route to Sustainability, Montreal 26-27 September 2010

- "Latin American Air Transport Policy" Asociacion Latinoamericana de Derecho Aeronautico y Espacial (ALADA) 50th Anniversary. Buenos Aires Argentina 16-19 November 2010.
- "IATA Cargo Services Conference Recent Developments" McGill Conference on International Aviation Liability & Insurance, Montreal, 30-31 October 2009.
- "Surface Damage Caused by Aircraft: Updating the Rome Convention with a General Risks Convention" McGill Conference on International Aviation Liability & Insurance, Montreal, 30-31 October 2009.
- "La Problematica Juridica De Los Documentos Electronicos Del Transporte Aereo" XXXIII Jornadas de la Asociacion Latinoamericana de Derecho Aeronautico y Espacial (ALADA) 24-27 March 2010.
- Instituto Nacional de Derecho Aeronautico y Espacial (INDAE) - Buenos Aires - Argentina - 30 March 2009 "The Modernization of the Rome Convention"
- Instituto Nacional de Derecho Aeronautico y Espacial (INDAE) - Buenos Aires - Argentina - 16 November 2010. Title of lecture: "Aviation & Climate Change: Recent Developments"

David Kuan-Wei Chen - LLM Candidate

Publications:

- "Space Cooperation in the Asia Pacific: The Story (or stories) of APSCO and APRSAF", Colloquium of the Law of Outer Space, 2009 (coauthored with Stephanie Wan)
- "Stripped and Safer? Issues of Privacy and Security Surrounding the Full Body Scanner", Annals of Air and Space Law, 2010

Conference Presentations:

- 60th International Astronautical Congress, 12 and 16 October 2009 in Daejeon, Republic of Korea. Young Scholar Panel, "Space Cooperation in the Asia Pacific: The Story (or stories) of APSCO and APRSAF"
- International Conference on Air Transport 24-26 May, Singapore, "Aviation Security: Are We Adequately Prepared for Another 9/11 Attempt?"

Rachel Pachoud - LLM Candidate

Conference Presentations:

- International Conference on Air Transport, 24-26 May, Singapore, "No-Fly Lists, Intelligence Services and Airlines"

Michael Dodge - LLM Candidate**Publications:**

- “El Derecho del espacio exterior y el future de la humanidad” in THEMIS-Law Review Issue No. 58, Catholic University fo Peru.
- Book Review of “Space Law: A Treatise” by Francis Lyall & Paul B. Larsen

Conference Presentations:

- Third Annual Graduate Law Students Conference, May 2010, Montreal, Research Proposal Presentation
- “The GPS Galileo GNSS Agreement, Implications for Peaceful International Relations: An Analysis of Articles 4(2), 12 and 15 of the “Agreement on the Promotion, Provision, and Use of Galileo and GPS Satellite Based Navigation Systems”, Poster presented at the International Astronaut Congress, Prague, Czech Republic, October 2010.
- Canadian Space Summit, 19-21 November 2010, Commercial Aspects of GNSS Systems