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Introduction to National Space Legislation in Europe: Issues of Authorization of Private Space Activities in the Light of Developments in European Space Cooperation

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von der Dunk, Frans G., "Introduction to National Space Legislation in Europe: Issues of Authorization of Private Space Activities in the Light of Developments in European Space Cooperation" (2011). *Space, Cyber, and Telecommunications Law Program Faculty Publications*. 65.

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von der Dunk in *National Space Legislation in Europe: Issues of Authorization of Private Space Activities in the Light of Developments in European Space Cooperation* (2011), F. von der Dunk, editor. *Studies in Space Law*, v. 6. Leiden: Nijhoff. Copyright 2011, Nijhoff. Used by permission.

Introduction

F. G. von der Dunk

This book is, at the heart, a result of a Practitioners' Forum of the European Centre of Space Law (ECSL), organized in Paris in December 2008. Having been established in the early 90s, ECSL Practitioners' Fora are organized more or less annually, and have presented unique oneday occasions for academics and practitioners from all corners of the European space endeavor and space industry to discuss topical and important legal issues.

Part of the format is that speakers are not required to present actual papers, or even powerpoint presentations, in order to allow for a completely free exchange of opinions and discussion. Most famously, Mr. Will Whitehorn, then-CEO of Virgin Galactic, when keynoting at the 2006 Practitioners' Forum on 'Space tourism: legal and institutional issues' showed a video of the x-Prize-winning flight of SpaceShipOne whilst addressing off the cuff the various relevant aspects of the flight as well as of Virgin Galactic's follow-up plans.

Needless to say, however, at the same time speakers are not restrained from bringing well-prepared and -formatted papers with them either, and at many occasions have actually done so. Very often, moreover, participants have asked for such papers, or powerpoint presentations as relevant, to be distributed – in each of which cases the ECSL Executive Secretary has done so *if* the particular speaker concerned had no problem therewith.

And at least once before, the subject matter of, and discussions at, a comparable ECSL-organized meeting have given rise to a book, collating the papers of those speakers who were able and willing to convert whatever they had prepared for the meeting itself into academically referenced contributions fit for publication in a book – and adding in the process a few more solicited contributions on subjects that, for whatever reason, had arisen only at the Forum as being of sufficient interest for the purpose.¹

Thus, the ECSL Practitioners' Forum on 'National space legislation in Europe—Issues of authorization in the light of developments in European space cooperation' came to pass on December 15, 2008 at ESA Headquarters, with some 50 participants in attendance.

When the Practitioners' Forum turned out to comprise a number of interesting papers and contributions of sufficiently developed format, the Chairman of ECSL, Professor Sergio Marchisio, and I quickly agreed it would be not only a good but also a feasible thing to indeed publish a book on the topic, essentially based on those papers and contributions.

The result, obviously, is in your hands now.

Lincoln, November 2010

¹ This concerned F.G. von der Dunk & M.M.T.A. Brus (Eds.), *The International Space Station – Commercial Utilisation from a European Legal Perspective* (2006), published as Volume 1 of Studies in Space Law. This book arose out of a Symposium on the Legal Aspects of Commercial Utilisation of the International Space Station (ISS), held on 26 March 2004 in Leiden.

Information about the Contributor

FRANS VON DER DUNK is currently Harvey and Susan Perlman Alumni / Othmer Professor of Space Law at the University of Nebraska-Lincoln (UNL), as well as Director of the space law and policy consultancy Black Holes in the Netherlands. Prior to his appointment at UNL he has served the Faculty of Law of Leiden University in various capacities in the field of public international law and space law for some 20 years.

Prof. Von der Dunk obtained his Doctorate in Space Law at Leiden University in 1998, and has written over 120 articles in the field of space law and policy. He has been awarded inter alia the IISL Distinguished Service Award in Vancouver in October 2004, and the IAA Social Science Award in Valencia, in October 2006. He is amongst many other functions ECSL Board Member, Member of the IISL Board of Directors and Honorary Professor at Gujarat National Law University, Gandhinagar, India. Prof. Von der Dunk has advised many governments, international governmental and non-governmental organizations, space agencies and companies on issues of space law and policy.