

REPORT ON OUR PARTICIPATION IN THE IISL MOOT COURT COMPETITION
MANFRED LACHS SPACE LAW MOOT COURT COMPETITION, 2019

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The opportunity to participate in the Manfred Lachs Space Law Moot Court Competition has been an honour and a privilege. Space law is an extremely niche area of law, and there are very few opportunities to learn about it in Singapore.

We had started our preparations in October and after 5 months, we were both eager and enthusiastic for the regional rounds that were held in Delhi, India in March. It was an amazing learning opportunity where we got to argue our case and defend our positions before distinguished legal experts. It was an eye-opening experience where we were grilled intensely, but we are glad to say that it was an invaluable learning experience that allowed us to hone our advocacy skills. We were excited to be able to witness first-hand the myriad of mooting styles of representatives from different law schools across Asia Pacific. It was humbling to see how the teams had such varied and creative arguments that we had not considered before.

We were fortunate to have emerged as the champions of the Asia Pacific Round, and most importantly, we were ecstatic at the opportunity to participate in the World Finals in Washington D.C in October. We are immensely grateful for the sponsorship of the Japanese Aerospace Exploration Agency (JAXA). Their kind generosity enabled us to be able to participate in the World Finals and we cannot thank them enough. Their invaluable assistance paved the way as we embarked on our pursuit of space law.

The World Finals were held as part of the International Astronautical Congress. Not only were we able to participate in the World Finals, we also attended various seminars relating to space. We were able to expand our horizons beyond space law and explore further interests in science and technology. The Congress afforded us the opportunity to meet and interact with various distinguished experts. For example, the opening ceremony featured a speech by Mike Pence, Vice President of the United States, and there were also seminars conducted by Elon Musk and other experts. Having spent the last year studying space law, we were definitely the most thrilled to meet the space law academics. It was a dream come true to be able to see the authors of the books we have tirelessly perused for the last 12 months. We met Dr Kai-Uwe Schrogl, President of the International Institute of Space Law and many other highly learned professors such as Dr Frans G. von der Dunk.

When it came time for the highly anticipated Semi-Finals, we were excited but also nervous at the prospect of making our submissions before such distinguished space law experts. It was also particularly noteworthy that that would be our first time making submissions before a panel that is made up of judges specialising exclusively in space law. Due to the fact that space law is such a niche area of law, in all our previous practice rounds or at the regional round, our judges were esteemed Public International Law experts, but not exclusively in the area of space law. This meant that we would be expected to answer far more technical questions and have a holistic understanding of space in general. As much as we were excited, we were also somewhat daunted at the prospect that the very judges we were appearing before were also the authority we were citing in our arguments.

It was regrettable that we bowed out at the Semi-Finals against the European team, who were also the eventual Champions, but we take comfort in the knowledge that we had given it our all.

The Finals were held at the National Aeronautics and Space Administration (NASA) headquarters which we were excited to visit. At the Awards Dinner afterwards, we managed to meet and interact with members of the space law community. I was even seated next to a Justice of the International Court of Justice. We also managed to meet and express our gratitude in person to the representatives from JAXA.

In conclusion, the Manfred Lachs Space Law Moot Court Competition is an experience I hold dear to my heart. The invaluable skills I have learnt will also be crucial in shaping my personal and professional development. While the competition may have ended, this is merely the beginning of our journeys into space law.

Lim Jia Ren, National University of Singapore

I participated in the 2019 Manfred Lachs Space Moot Court Competition as part of the team from the National University of Singapore (NUS). The team's preparation for the whole competition took place over a year, from October 2018 to October 2019. Looking back at the year-long journey, it is with certainty when I say that this has been an enriching and transformative experience that I have been extremely privileged to be a part.

Our team entered into this competition when we were in the second year of our undergraduate studies in NUS, reading basic and compulsory private law modules. This meant that we had no experience in international law, much less specifically on international space law. Thus, the early stages of preparation for the competition presented a steep learning curve for all of us. We not only had to quickly grasp the fundamental principles of international law within the specific context of space law, but also apply them to the novel and complex factual scenario presented to us in the moot problem. Our lack of exposure to this area of law made the thought of writing over 50 pages of written submissions as well as arguing before esteemed judges especially daunting.

A corollary to our lack of experience is that we had little idea where to begin our research. Given that unlike domestic laws, where the applicable rules can be easily found from either case precedents or civil codes, international law, to the untrained eye, lurks behind a complex web of treaties, cases, and academic commentaries. Even where there are existing treaties, such as in space law, subsidiary questions such as their applicability to the parties in dispute and their interactions with general international law still arises. Fortunately, with the help of the research resources provided by IISL as well as our seniors who had participated in this competition before us, we began to grasp the complexity of the relatively novel field of

international space law and to achieve the realisation that there was so much more that we needed to learn. The complementary guidance and support from NUS's mooting network and IISL's resources set us on a fruitful learning experience as we prepare for our regional rounds.

Having worked on the moot problem for almost 6 months, we went for the Asia Pacific Regional Rounds held in Amity University, India. The participation rate for this iteration of the competition was particularly high, with 48 teams participating and 36 teams being selected to take part in the oral rounds. Throughout the Asia Pacific Rounds, we were extremely privileged to be able to moot against students from all over the region, including India, China, and Australia. The opportunity to witness the vast variety of mooting styles and modes of argumentation from different teams had significantly broadened our own perspective and approach to legal argumentation. Further, being grilled in the final round of the competition by an esteemed bench comprising a former Indian judge had also injected a dose of realism to the moot court competition.

Winning the Asia Pacific Rounds was a true honour for us. The win reflected a tangible reward for our hard work for the past few months in preparing for the competition. However, more important are the intangibles that we had gained simply by virtue of participating in the competition. The friendships forged with the other participating teams, the practical experience in having to defend our arguments, and the newfound appreciation for this field of law which was hitherto unknown to us are some examples of our biggest takeaway coming out of the Asia Pacific Rounds. The exchanges we had with the other participating teams and the constructive feedback from the judges in all the rounds also provided us with fertile ground to work on improving our arguments for the World Finals.

This year's World Finals was held in Washington D.C. in October and as part of the 70th International Astronautical Congress (IAC). The Japan Aerospace Exploration Agency (JAXA) had kindly sponsored a substantial amount of the cost for participating in the World Finals. Our team's gratitude to JAXA for their sponsorship cannot be overstated. As students, a perennial obstacle preventing us from taking part in meaningful and enriching competitions such as the Manfred Lachs Moot is the cost involved. JAXA's kind sponsorship has made this obstacle that much easier to overcome.

Attending the IAC in itself was an eye-opening experience for us. The week-long congress was packed with presentations and discussions, demonstrations and debates on not only the legal aspect of space, but also the scientific, economic, and political. These activities were led by many renowned space experts, names that we had only insofar read in our research for the competition. After sitting in a few of these activities throughout the week, we found ourselves better situated to understand international space law. This is because, in my opinion, knowing the context and realities in the space industry is just as important to a student of international space law as learning the applicable legal rules. This is especially so in the field of international law, where extra-legal forces play a stronger role in influencing the law's development than in the domestic sphere.

During the semi-finals of the moot, we were intensely grilled by an esteemed panel of space law experts, questioned on both facts and law as we have not been to this point of the competition. We at times found ourselves having to plead an argument opposed to what the judges themselves had written in their academic commentaries. This made the interaction with the judges that much interesting and insightful. While we did not advance to the final round, watching the finalist teams' exchanges with sitting judges from the International Court of

Justice was an incredible experience. The ICJ judges' concerns were at times markedly different from that of space law experts, as Their Excellencies grapple with broader issues of international law.

The post-competition IISL dinner was also another memorable experience. We had the honour of sharing the same table with not only one of the ICJ judges, but also esteemed space law experts, many of whom we had cited in our arguments throughout the course of the competition. The dinner was also an opportunity for us to interact with the other regional champions, some of whom we still keep in contact to-date.

Retrospectively, the competition looks less daunting than it is satisfying. Participation in the moot has significantly amplified my interest in international space law, motivating me to learn more about this rising behemoth of a field. The enriching experience and personal growth I have had through this participation is something for which I will always be grateful. Moving forward, I can only hope to do the little I can by providing support to any future participating teams from NUS so that they too can experience the wonderful learning journey that I was privileged to have gone through.

Kye Jing Ong, National University of Singapore

My team and I are thankful to have been part of the 2019 Manfred Lachs Space Law Moot Court Competition. Held from 21-25 October 2019 in Washington DC, the World Final was like no other moot court competition I had ever been to before.

This year's moot problem concerned a lunar exploration mission between two states that went awry. We were confronted with controversial issues ranging from the military and commercial use of outer space, to the rights and obligations of states in respect of space facilities. From the range of arguments we had seen throughout the competition – from creative interpretations of the space treaties, to novel arguments based on general principles of law derived from municipal systems – it was apparent that these were important issues that continue to have no clear answers even today.

In the competition, were privileged to have been judged by some of the leading jurists and practitioners in the area. In the finals held at NASA headquarters, we were even graced by sitting judges from the International Court of Justice – a unique tradition of the Manfred Lachs competition each year. Our competitors were brimming with passion for space law and public international law more generally, and there was so much to learn from their knowledge of the area to their style of advocacy. I loved the intellectual sparring that took place, both with fellow competitors and the judges, and am glad to have walked away with a much deeper appreciation of space law than before.

Our knowledge of space law was further enhanced through participation in the International Astronautical Conference 2019 (IAC). The Manfred Lachs World Final is embedded as part of the IAC each year. This meant that we got to attend sessions conducted by experts in the field,

not only in the area of space law, but every other aspect of space exploration and development conceivable – from space engineering, to extra-terrestrial biology and medicine, to the intersection between space and the humanities.

The International Institute of Space Law's (IISL) legal colloquia covered a wide range of pressing space issues, from the ever-growing concern of space debris, to long-standing questions on the militarisation of outer space. I even witnessed a fiery intellectual exchange between two leading jurists in the field in one of the question-and-answer sessions, whose works we were had studied as part of our preparation just months earlier. To see them forcefully defend their positions in real life was quite an eye-opener. For law students wishing to learn about space law, there could not have been a better opportunity than this.

The non-legal sessions were no less fascinating. We learnt about the US' Artemis mission, which seeks to set up a permanent mission on the moon through public-private partnerships, and use that as a launchpad to venture further to Mars. We learnt about how Japan and JAXA successfully executed the Hayabusa2 mission, and the extensive and careful planning that went into ensuring the mission's success. We also had a glimpse into novel and emerging technologies, not least in the field of space debris removal and micro-satellite technology. These sessions gave us needed perspective, by situating space law and regulation in the wider, practical context.

As a law student, there are only so many opportunities we have back at home to learn about space law. The Manfred Lachs experience provides a significant and valuable addition to this. Without a doubt, it has formed a key part of my legal education. I am grateful to have had the chance to be part of this journey, and JAXA's generous and unwavering support went a long way to making that possible. It gave us much ease of mind as we prepared for the competition,

and I am certain that previous and future batches of competitors have felt and will continue to feel the same. I would definitely urge other law students to take part in this competition and learn about this exciting field of international law.