



# **Sovereignty and Jurisdiction in Airspace and Outer Space: Legal Criteria for Spatial Delimitation (Routledge Research in International Law)**

*Gbenga Oduntan*

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Sovereignty and jurisdiction are legal doctrines of a complex nature, which have been subject to differing interpretations by scholars in legal literature. The tridimensionality of state territory recognised under customary international law subsists until the present but there are other territories that do not or cannot belong to any state or political entity which also must be accounted for in legal theory. The issues surrounding sovereignty and jurisdiction are likely to become ever more pressing as globalisation, growing pressure on resources and the need for energy and national security become acute, and the resolution of special delimitation disputes seems likely to become a vital question in the twenty-first century. As a result of the fast pace of technological developments in air and space activities and the massive increases in air transportation, satellite communications and space exploration, the need for scholars and practitioners to sharpen their appreciation of the legal and political issues becomes crucial.

This book will focus primarily on the issues of sovereignty jurisdiction and control in airspace and outer space and their effects on public and private activities, but it will also look at related issues pertaining to the Seas and Antarctica. Commercial exploitation, resource control and the international regime regulating contractual obligations in relation to transportation of goods and services over all forms of territory will be examined to the extent that they are necessary to explain jurisdictional rights and duties over territory. Older problems of international law such as crimes in the air and airspace trespass are treated along with newer developments such as space tourism as well as growing demand for private ownership and involvement in outer space exploitation.

The book goes on to consider the distinction between airspace and outer space and puts forward legal criteria which would allow for the resolution of the spatial delimitation dispute. These criteria would determine where in spatial terms the exclusive sovereignty of airspace ends and where outer space – the province of all mankind – begins, and contribute to the jurisprudence of territorial sovereignty and jurisdiction.

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