

55th IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
Recent Developments in Space Law (5)

Author: Prof. Mahulena Hofmann
University of Luxembourg, Luxembourg , Mahulena.Hofmann@uni.lu

DRAFT UNGA RESOLUTION ON SUSTAINABILITY OF SPACE ENVIRONMENT

Abstract

The sustainability of outer space can be endangered by not respecting specific measures aimed at protection of space environment. Article IX of the Outer Space Treaty provides for a general legal framework of these measures. These are periodically elaborated by the COSPAR, an international non-governmental organization, in the form of non-binding recommendations. Realistically, there is lack of international preparedness to draft a new, treaty document implementing Article IX in a binding form at present. The solution how to fill a gap between general binding and detailed recommendatory rules could consist in the elaboration and adoption of an interpretative UNGA resolution. The resolution could confirm the preparedness of States to comply with the rules embodied in Article IX, and to inform UN Secretary General on measures taken to protect the space environment. Furthermore, it could invite the States to deliberate to include the measures for planetary protection among the conditions necessary for licensing the space objects according to their domestic law, and to suggest the UN Secretary General, together with the COSPAR, the specific areas on celestial bodies which deserve special protection.