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Author: Dr. Maria Pozza

1) University of Otago (New Zealand) 2) Lauterpacht Visiting Fellow, Lauterpacht Centre for International Law, University of Cambridge (UK), New Zealand, pozma129@student.otago.ac.nz

”SPACE LAW- FUTURE CHALLENGES AND POTENTIAL SOLUTIONS” EXAMINING PAST INTERNATIONAL SPACE LAW IN ORDER TO DETERMINE THE FUTURE OF INTERNATIONAL SPACE LAW: LEARNING LESSONS FROM HISTORY**Abstract**

The future of space law is heavily reliant on the future of international relations between major space faring states. This is especially true of arms control law in outer space. The lack of solid foundations in the arms control provisions within the major outer space treaties undermines the future development of arms control law in outer space. The arms control provisions within the Outer Space Treaty 1967 (OST 67) and the Moon Treaty 1979 (MT 79) are not the solid pillars of international law which they might have been if they had been negotiated in a context other than that of the Cold War. The three core ambiguities within the arms control provisions of these treaties are (1) demarcation, (2) the definition of peaceful purposes/uses and (3) the definition of aggression. Cold War superpower tensions in international relations directly impacted on the utility of the arms control provisions of the above treaties rendering them to little more than paper tigers. New Zealand restricted archival material including key points within the negotiations between the superpowers, is presented to demonstrate why the above treaties are lacking in utility.

The future development of space law remains to be determined. An understanding of the reasons for the limited utility and significant ambiguities within the above treaties is necessary in order to face the challenges of future treaty development. Such challenges include new and emerging states utilising outer space for the first time, the activities of which may cause insecurity to the already established space faring states. This paper also analyses the arms control provisions within draft Treaty on the Prevention of the Placement of Weapons in Outer Space, the Threat or Use of Force against Outer Space Objects (PPWT 2008). The draft PPWT 2008 proposal faces significant challenges which will be discussed. Possible solutions are presented in the context of international relations and security. Potential solutions for the security dilemma in outer space depend upon a sound understanding of the past, especially that of the Cold War and post Cold War developments, and the same is true of space law. In order to develop effective future space law, the lessons of history must first be learned.