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DUE DILIGENCE OBLIGATION TO PROTECT THE OUTER SPACE ENVIRONMENT UNDER  
THE ART. IX OF THE OUTER SPACE TREATY

**Abstract**

According to art. IX of the Outer Space Treaty, states shall be guided by the principle of cooperation and mutual assistance in the exploration and use of outer space and shall conduct their space activities with due regard to the corresponding interests of other states. They are further obliged to avoid harmful contamination of the outer space, including the Moon and other celestial bodies, and to adopt appropriate measures for this purpose.

This provision shapes the general obligation to protect the outer space environment, further supported by a numerous instruments of non-binding nature – recommendations, resolutions and declarations of different international non-governmental and governmental organizations.

This article examines, first, the scope of twofold due diligence obligation – to provide the full environmental impact assessment prior to commencing any activity that could potentially cause transboundary harm and to cooperate in good faith in order to prevent such harm, – established in the international environmental law. And, secondly, it looks into the extent, to which such duty is applicable to the outer space activities according to art. IX of Outer Space Treaty.