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Author: Mr. George Anthony Long
United States

THE MEANING OF LIFE AND CLOSE ENCOUNTERS OF THE COMMERCIAL KIND

Abstract

Science fiction abounds with contact and interaction between humans and extraterrestrial life. In science fiction, any such contact or interactions has been referred to as a "close encounter." With non-state actors now becoming a staple in the exploration and use of space, if extraterrestrial life exists, then the percentages increase that there will be a close encounter between non-state actors and extraterrestrial organisms, especially extraterrestrial existence at the microbial level. Indeed, the possibility of contact with extraterrestrial microbes from asteroid mining or other commercial space activities is a potential reality given the recent discovery of microbial organisms on the exterior of the International Space Station. This paper will analyze the space law principles which may impact and govern the intentional contact and interaction between non-state actors and extraterrestrial microbes by an analysis of the subplot in the 1979 movie Alien starring Sigourney Weaver.

The Outer Space Treaty of 1967 does not establish protocols governing contact with any type of extraterrestrial life. For instance, Article V of the treaty requires immediate notification be given concerning the discovery of "any phenomena" which could pose "a danger to the life and health of astronauts." Outer Space Treaty Article IX obligates that space activities be conducted in such a manner so as to avoid "adverse changes in the environment of the Earth resulting from the introduction of extraterrestrial matter" and where necessary, a space actor "shall adopt appropriate measures for this purpose." Article 5(3) of the Moon Treaty, on the other hand, specifically references "organic life" but seemingly limits the duty to only disclosing "any indication of organic life." Thus, there does not appear to be any prohibition on encounter's with or the performing of tests and experiments on extraterrestrial organisms or microbes.

The movie *Alien* involves a terrorizing encounter between humans and an extraterrestrial bio form. An underlying plot of *Alien* concerns the manipulation by the corporate owner of the commercial spacecraft to capture the alien life form so it can be studied and examined. Accordingly, the movie presents a scenario for exploring what legal duties space law imposes on corporate commercial interests with respect to the discovery of, contact with and experimentation on extraterrestrial microbes. The analysis will also necessitate a discussion on what constitutes extraterrestrial life.