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SPACE HERITAGE: INTERNATIONAL LEGAL ASPECTS OF ITS PROTECTION

Abstract

The increasing involvement of States in the process of research and use of outer space, as well as the steadily development technical capabilities of space-faring commercial entities, entails a serious growth in the number of space flights. This may adversely affect the physical integrity and safety of the objects, which can be considered as 'space heritage' for their undoubtful significance in the history of humanity. International legal regime for a protection of such objects does not exist today in comparison with "Earth objects", which are under umbrella of the UNESCO.That is why necessity to analyze and summarize possible international legal aspects of the protection of historical and cultural heritage in outer space and on celestial bodies has grown and becomes the purpose of this paper.

The proposed thesis will consist of 3 chapters except introduction and conclusion.. The first chapter will examine the features of the legal status of 'space heritage'. In this regard, it will be necessary to answer the following questions:

a) What should be attributed as 'space heritage'?

b) Is it space debris or 'space heritage'?

c) Does the Convention Concerning the Protection of the World Cultural and Natural Heritage cover the 'space heritage'?

The second chapter will refer to existing practice of States and private initiatives into the preservation of 'space heritage'. Thereby, the most vivid example in the field of State's practice will be non-binding document, 'NASA's Recommendations to Space-Faring Entities: How to Protect and Preserve the Historic and Preserve the Historic and Scientific Value of U.S. Government Lunar Artifacts', which aims to preserve the U.S. Government's artifacts on lunar surface. Another example is the bill'One Small Step to Protect Human Heritage in Space Act', introducing in the US Congress, dated May 23, 2019, which aims to protect the historic Apollo 11 landing sites. Moreover, for the objectives of the paper it is important to estimate activity of the US organization 'For all moonkind', which seeks to protect human lunar landing and similar sites in outer space as a part of common human heritage.

The last chapter will examine the different paths to establish appropriate protection of 'space heritage' such as the protection under aegis of the UNESCO or the development of new international legal mechanism for these purposes.