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Legal Aspects of Space Debris Remediation (4)

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SPACE DEBRIS - EMERGING CHALLENGE, COMMON CONCERN AND SHARED  
RESPONSIBILITY: LEGAL CONSIDERATIONS AND DIRECTIONS TOWARDS SECURE AND  
SUSTAINABLE SPACE ENVIRONMENT

**Abstract**

Space Debris is one of the topics that over many consecutive years have been raised within the COP-UOS. Apart from that the environmental concerns have been reflected in the very first international space law documents what is not the case with many other space-related implications. Relevant to space debris problems have been further elaborated in separate documents being shaped mostly as recommendations rather than binding rules. A variety of international / regional organizations and national space agencies undertook efforts in designing more or less adequate legal regime for space debris regulation however none of them has been internationally recognized as a reference. Despite numerous efforts in setting respective regime we observe the lack of secured space environment among others due to the absence of a comprehensive space debris mitigation policy and mandatory rules to be respected by all operators. The latter causes uncertainty, danger and risk as to the physical integrity of the space object, continuity of services it provides, economic benefits expected from those services, secure life of human in space as well as to the guarantee of sustainability in the outer space along with keeping its initial environmental qualities for future space activities. Thus, this paper will investigate existing commitments, if any, of space actors with regard to space debris removal and imposed level of liability / responsibility in case of default. The intercompatibility and complementarity of the legal documents pertinent to space debris will be examined. Additionally it will draw the distinction between non-operational space objects that however could continue their useful exploitation if getting on-orbit servicing and those uncontrolled fragments that could not constitute any utility. The perspectives for bringing space debris issue to the level of international common concern making it consequently the shared responsibility of all stakeholders will be determined.