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THE NEED FOR AUTHORITY OF HUMANKIND IN SPACE LAW

Abstract

The purpose of this research paper is to substantiate the necessity for considering humankind as new subject of law, represented by Authority of Humankind. This representation would be in front of states, international organizations, corporations and also hypothetical extraterrestrial beings and civilizations. The study aims to present a different view for future exploration and exploitation of outer space which is regulated in the interest of humankind, which includes future generations. The benefits of this study include differentiation between national interests and interest of humankind and distinction between international organizations and the above-national organ. It analyzes the need and risks of establishing and not establishing such an organ. This concept of united humankind shows clearly that it complements and continues the norm of article II of Outer Space Treaty. The study will also provide very practical solutions of many contemporary issues in space law: Firstly, the authority of humankind would be the legitimate organ to represent human-beings in front of hypothetical extraterrestrial beings and civilizations. This would be necessary in order to protect the interest of humankind. It examines what would be the consequences if such contacts are hidden and not introduced to the public. The results would be opening the gates for expanding national interests of some states against the interest of other states and probably against the interest of humankind. The study concludes that there is a strong need for legal regulation on this subject, in order to avoid this problem in future. Secondly, the study focuses on the need for adopting a unified vision of outer space in the interest of humankind. It would become possible finally to delimitate the borders between air space and outer space; authorizing an independent organ to protect the interest of outer space environment; independent monitoring of outer space activities and authority to engage the public. An opportunity would be created to legally ban anti-satellite tests which seems impossible to be done by contemporary international negotiations. Fourthly, the analysis shows results that the organ would be capable to guarantee that outer space resources would be used in the interest of humankind and not to the interest of those states and corporations which are first capable to exploit them. The organ is differentiated with Seabed authority established with the Law of the sea convention.