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AN ALTERNATIVE TO THE 'PEACEFUL PURPOSES' FORMULA OF THE OUTER SPACE
TREATY 1967**Abstract**

The peaceful purposes provisions of the Outer Space Treaty 1967 (OST 67), remains undefined and ambiguous. The continued use of this term therefore remains problematic. The Committee on Peaceful Uses of Outer Space (COPUOS) has also been unable to define this term. A clear understanding as to whether a state's activities in outer space are peaceful or aggressive, has also remained elusive. In relation to outer space, the term peaceful has been informally defined as non-aggressive. However, uses of the term peaceful within other international legal instruments see it defined as non-military. This paper aims to do several things: present a survey in which the non-military formula has been used in other international legal instruments; offer an explanation as to why the OST 67 peaceful purposes provisions were (and continue to be) informally defined as non-aggressive; and to identify the implications for the future of the peaceful purposes formula in space law.

It may be that a new approach is necessary to outer space activities. The paper will thus also consider the provisions of the draft Prevention of Placement in Outer Space Weapons Treaty 2008 (PPWT 2008) which utilises a hostile actions formula (the foundation of which was established by the Moon Treaty 1979 under Article 3) as an alternative to the OST 67 peaceful purposes formula.