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LEGALITY OF NON-COOPERATIVE SATELLITE REMOVAL

Abstract

Uncontrolled growth of non-functional satellites has imposed significant threats on the space environment. However, out of various concerns, not all States are willing to adopt measures to minimize the debris caused by their own space activities. This article analyzes whether the threatened States are entitled the right to remove space debris of another State without prior consent. Firstly, the author examines who exercises jurisdiction over the non-functional satellites; then, by researching Article IX of the Outer Space Treaty and the IADC Space Debris Mitigation Guidelines, the author finds that there is a forthcoming debris removal obligation under international law; further, the author suggests two legal basis for the non-cooperative removal: Article IX of the Outer Space Treaty and the Precautionary Principle. In conclusion, it is neither justifiable nor efficient to absolutely prohibit the threatened States to remove non-functional satellites without prior consent.