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THE LAUNCH OF SPUTNIK AS THE CATALYST FOR INTERNATIONAL SPACE LAW MAKING

Abstract

The launch of Sputnik 1, the first satellite orbiting Earth, in 1957, followed by US satellite Explorer 1 in early 1958, triggered what we call the space race. Of course, there had already been space activities undertaken before that date on both sides of the iron curtain. The launch of Sputnik, however, was the catalyst for the developments in the following decades with respect to technology as well as science. But the “Sputnik shock” also triggered new developments in law and policy. The beginning space race – also considered a new front in the Cold War – became a concern for the UN. The UN therefore set up the Committee on the Peaceful Uses of Outer Space. The Committee – especially its Legal Subcommittee – soon became instrumental in international space law making. The Declaration of Legal Principles Governing the Activities of States in the Exploration and Uses of Outer Space was passed by the UN General Assembly in 1963. This resolution further evolved into the 1967 Outer Space Treaty. This treaty was later followed by other treaties such as the Astronaut Rescue Agreement, the Liability Convention, the Registration Convention and the Moon Agreement. Several further UN resolutions on outer space were also worked out in the Committee. These developments have to be seen in the context of the Cold war and the East-West confrontation. Especially the space race between the United and the Soviet Union as well as their respective allies led to the space law framework as we know it today.