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IDEAS FOR THE RECENT DEVELOPMENT OF THE DRAFT SET OF GUIDELINES FOR THE
LONG-TERM SUSTAINABILITY OF OUTER SPACE ACTIVITIES FROM A LEGAL PERSPECTIVE

Abstract

The COPUOS Working Group on the Long-term Sustainability (LTS) of Outer Space Activities has been continuously facilitating the adoption of the guidelines for the long-term sustainability of outer space activities. There are more than one third of the draft guidelines that have been reached consensus in the working group, while the left ones are still under evaluation. As the new idea of “long-term sustainability of outer space activities” originates from the traditional concept of “sustainable development strategy on the earth”, in the ever-changing space era, this initiative has the potential to become a new space law principle, whether in the form of treaty or customary international law. By comparing the two similar concepts related with sustainability, this article will analyze the basic elements for the new “long-term sustainability of outer space activities” principle, including its essence, jurisprudence basis, ideological origin and its legal status within the OST regime. Among all these draft LTS guidelines, some issues are directly regulated in the 1967 Outer Space Treaty (OST) legal framework (such as registration and notification) and some are beyond the scope of current space law system (such as the active removal of space objects and electronic harmful interference in outer space). In the second part of this article, based on the theoretical analysis on the LTS concept in the first part, some of these selected issues will be discussed in a prospective view and suggestions for the update of the existing OST regime will be proposed. Lastly, the working contents of the LTS group will be compared with that of the Governmental Experts Group on Transparency and Confidence-Building Measures in Outer Space Activities (TCBMs), the Inter-Agency Space Debris Coordination Committee (IADC) and the International Telecommunications Union (ITU), expecting to get more insights and solutions from different entities and make suggestions for the future development of the promising LTS principle.