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KEYNOTE: THE OUTER SPACE TREATY – ITS FIRST FIFTY YEARS

Abstract

The 50th anniversary of the conclusion of the Outer Space Treaty, an innovative and creative projection of cardinal principles of international law into Outer Space, requires a broad examination of its overall achievements as well as its shortcomings, seen against the spectacular scientific and technological advances in the exploration and uses of Outer Space. How well it has withstood the test of time can best be gauged from the extent to which its main principles have been respected by its numerous states parties. The role and functions of the Treaty must also be evaluated against a proliferation of other, softer forms of space law that now seem to have the preference of most space-fearing nations, ranging from non-binding UN General Assembly Resolutions to national space legislation. The urgent issue of Space Traffic Management can serve as an example for the need to inject principles of the Treaty into future international and/or national regulatory mechanisms, absent a real international regime as a Protocol or amendment to the current Outer Space Treaty. The question finally arises whether the United Nations as the single law-making body in space law will use this anniversary to strengthen and modernize the law of Outer Space when, later this year, the General Assembly will discuss a draft resolution on the 50th anniversary of the Outer Space Treaty.