

47th IAA SYMPOSIUM ON THE SEARCH FOR EXTRATERRESTRIAL INTELLIGENCE (SETI) –
The Next Steps (A4)
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HUMANKIND - THE NEW LEGAL SUBJECT

Abstract

The purpose of this research paper is to substantiate the necessity for considering humankind as a separate group entity with its own interests, which inevitably shall become subject of law. Humanity could be represented by an organization, which is different from the classical international organizations and it can be called an Authority of Humankind. This representation would be in front of states, international organizations, corporations and also hypothetically in front of extraterrestrial beings and extraterrestrial civilizations. The study aims to present different principles of future exploration and exploitation of outer space, particularly in the field of contact with extraterrestrial beings, taking samples from organic matter outside of Earth and transparent regime of quarantine protocol adoptions. The study differentiates between national interests and interest of humankind and illustrates the distinction between international organizations and above-national organ. It analyzes the needs and risks of establishing and not establishing an Authority of Humankind. This concept of united humankind shows clearly that it complements and continues the norm of article II of Outer Space Treaty. The study also provides very practical solutions of many contemporary issues in international space law: Firstly, the Authority of Humankind would be the legitimate organ to represent human-beings in front of extraterrestrial beings and civilizations. This would be necessary in order to protect the interest of humankind. It examines what would be the consequences if such contacts are hidden and not introduced to the public. Secondly, the study focuses on the need for adopting a unified vision of outer space exploration and exploitation in the interest of all humankind, including the future generations. It would become possible finally to delimitate the borders between air space and outer space; authorizing an independent organ to protect the interest of outer space environment; independent monitoring of outer space activities and authority to engage the public. An opportunity would be created to legally ban anti-satellite tests which cannot be achieved by contemporary international negotiations and treaties. Thirdly, the analysis shows results that the organ would be capable to guarantee that outer space resources would be used in the interest of humankind and not to the interest of those states and corporations which are first capable to exploit them. The Authority of Humankind is differentiated from the International Seabed Authority, established with the UN Law of the Sea convention.