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A TREATY OF MANY MINDS: AN IN-DEPTH LOOK AT THE TRAVAUX PRÉPARATOIRES OF
THE PRINCIPLES DECLARATION OF 1963

Abstract

Much of the current literature on interpretation of the Outer Space Treaty of 1967 (OST) focuses on the OST's own *travaux préparatoires*, but not of the Principles Declaration of 1963 (Principles Declaration), the basic ideas of which were incorporated into the OST. Many of these ideas expressed in the *travaux* of the Principles Declaration give a very forward-looking glimpse of issues in outer space, whether they were emphasized or simply discussed.

This paper will show the vast behind-the-scenes discussions of issues not expressly included in the OST: issues such as space piracy, space smuggling, commercialization of space, extraterrestrial contact, and space debris. For instance, in a 1959 report of the *ad hoc* Committee (preceding the Committee on the Peaceful Uses of Outer Space (COPUOS)), the Committee discussed the formidable issue of spent satellite debris in space, and implied that registration was necessary in order that States could track their property and develop mechanisms for destruction and recovery of their satellites. Further, in a working paper submitted by the delegation of Mexico to the *ad hoc* committee, Mexico asked what extent a launching State is responsible for changes that occur in human beings that it sends to inhabit celestial bodies other than Earth. These forward looking ideas were passed over in favor of the more pressing issues of the time: disarmament, liability, peaceful purposes, etc. However, their mention may help illuminate current issues and give guidance on how to proceed within the current legal regime.