

IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
Remediation of Space Debris: A Fundamental Legal Challenge? (7)

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THE LEGAL FRAMEWORK FOR SPACE DEBRIS REMEDIATION

Abstract

As a direct result of mankind's exploration and use of outer space since the dawn of the space age, a massive amount of space debris has been left in outer space, particularly in those orbits that are most used. Over the last few decades, the rate at which human activities in space have led to the creation of space debris has increased in a linear fashion, which is both a consequence of and a potential hindrance to space activities. This risk highlights the need to adequately address the challenges posed to the sustainability in outer space, and the necessity of space debris remediation. As technical measures are being developed and enforcement of these measures will depend on solid regulation, this issue shall also be addressed from a legal perspective. The current deficiencies in law for space debris remediation mechanism represent themselves in the image that no international legal obligations are imposed for debris removal and on-orbit servicing. This paper will explore the body of current space law and its implication on space debris remediation, which reveals a legal basis for the protection of outer space environment and a need to effectuate unambiguous interpretation of current relevant provisions could be emphasized, and certain consensus should be reached among international community, for the enforcement of space debris remediation measures at an international level. This paper will also draw attention to the implementation of series space debris remediation guidelines in national legislation, through a comparative study of situation in the UK, the US, China and EU.