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THE CONTINUITY OF OBLIGATION TO PROVIDE THE SERVICES OF GLOBAL NAVIGATION
SATELLITE SYSTEM ; LOOKING SPACE LAW THROUGH THE LENS OF HUMAN RIGHTS

Abstract

Nowadays, dramatic advancement in space technologies has impressed all the aspects of human life. The protection of human life in aviation and maritime is firmly tied to precise data and crucial information derived from Global Navigational Satellite System (GNSS). The aim of the present article is finding a binding solution to ensure the continuity of providing positioning satellite services for aviation and sea navigation for all states. For this purpose, this article, after analyzing the Convention on International Liability for Damage Caused by Space Objects and the Charter on the Rights and Obligations of States Relating to GNSS Services and the International Convention for the Safety of Life at Sea, by the qualitative method seeks to address three important questions. First, what are the negative effects of malfunction and discontinuity of GNSS services in the human life? Second, is there any obligatory provision in space law instruments which ensure the continuity of obligation to provide the services of GNSS? Third, how can ensure the continuity of this obligation in the light of human rights law? Therefore, this study, with the human rights law perspective, tries to recognize that providing the services of GNSS as a legal obligation of providing states and also prove that all the providing states should not discontinue these services.

Key Words: GNSS, discontinuity of services, liability convention, right to life, safety of aviation, safety of maritime, erga omnes obligation, positive obligations