

International Cooperation for Space Exploration (1)  
International Cooperation for Space Exploration (2) (2)

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INTERNATIONAL RESPONSIBILITY FOR WRONGFUL ACTS IN SPACE EXPLORATION –  
APPLICATION OF OBLIGATIONS ERGA OMNES TO THE OUTER SPACE.

**Abstract**

Effective international co-operation is necessary and crucial for efficient space and planetary bodies exploration. The past experience of internationally significant endeavors unfortunately shows us, that the progress cannot be made without few missteps and misconducts from the operating actors. Despite of the fact, that the legal framework of international space law consisting of five most important international treaties (the 1967 Outer Space Treaty, the 1968 Rescue Agreement, the 1972 Liability Convention, the 1975 Registration Convention, and the 1979 Moon Agreement) is considered to be outdated and not suited for current technological development, there are some legal norms contained within it, that can be considered as obligations erga omnes. These obligations are towards the international community as a whole, they concern all States and all States can be held to have legal interest in their protection. These obligations “exist for the purposes of furthering a collective claim by any State”.

Breach of international obligation attributable to the State under international law in the form of action or omission is an internationally wrongful act. The aim of the article is to outline the mechanisms that can be used in contemporary legal regime to create effective and operative way to ensure, that States conduct will be coherent with the common interest of international community as a whole. The paper will point out specific, exemplary space law norms that can be consider erga omnes and therefore be subject to the legal regime of said mechanism.

Presented ideas and issue solving mechanisms can also be implemented into the UN system by equipping international organizations with the means to actively monitor and oversee the space exploration endeavor.