

Space Stations (9)

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INTERNATIONAL LEGAL REGIME OF FUTURE SPACE STATIONS: PROBLEMS OF OPERATION FROM THE LEGAL POINT OF VIEW

Abstract

To date humankind uses outer space in different ways: send satellites into orbits, launch probes, monitor Earth and do researches on the board of ISS. ISS is the big research project of such States as the USA, Canada, Japan, the Russian Federation, and Member States of the ESA (Belgium, Denmark, France, Germany, Italy, the Netherlands, Norway, Spain, Sweden, Switzerland; the UK, Hungary, Luxembourg and Slovenia) and the second space station in the world history after the Soviet station "MIR". International legal status and international legal regime of the ISS are enshrined in the International Space Station Intergovernmental Agreement 1998. Four Memoranda of Understandings and various bilateral Implementing Arrangements between the participating space agencies supplement the Agreement 1998. Also, the ISS's operating regulated by the five main international space treaties. Two of which – the Outer Space Treaty 1967 and the Moon Agreement 1979 – provide international legal regimes for outer space and celestial bodies (the Moon, the Mars etc.) in general. It is planning that the ISS will stop its work in 2028 after that some States plan to start its own projects and launch new space stations. A legal regime of suggested space stations could be similar with the ISS's regime or be different. Bearing in mind that the number of space stations could be unexpected and there is the universal international legal regime for the exploration and use of outer space, the Moon and other celestial bodies, international community will be faced with the problem of absence of the common rules for space stations. Thereby the main purpose of this paper will be to analyze current legal regime of the ISS (basic international space treaties and the Agreement 1998), identify any lacunas in it and suggest new decisions for utilization and operation of future space stations. The paper will consist of 5 parts: introduction, analysis of current status and regime of the ISS, problems in the international legal regime of the ISS and conclusion, where similarities and possible difference of the international legal regime of the ISS will be highlighted in comparison with objectives and purposes of the future space stations. It is suggested that the results of the research will be useful for international space community, conducting operations in this direction.