

53rd IAA SYMPOSIUM ON THE SEARCH FOR EXTRATERRESTRIAL INTELLIGENCE (SETI) –
The Next Steps (A4)
SETI 2: SETI and Society (2)

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ASSESSING THE CONSISTENCY BETWEEN SETI AND METALAW AND THE COLLECTIVE
INTEREST OF HUMANKIND IN THE EXPLORATION AND USE OF OUTER SPACE

Abstract

With the technological advancements that humankind has witnessed in the past decades, the prospect of deep space exploration has become increasingly realistic. As we contemplate the possibility of encountering other civilizations, the Search for Extraterrestrial Intelligence (SETI) has prompted scholars like Andrew G. Haley and Ernst Fasan to postulate the rules governing such interactions, leading to the development of the principles of metalaw. In our current state of technological prowess, it is important to acknowledge the growing likelihood of humanity making contact with older, more advanced civilizations capable of active communication rather than passive observation. Given this scenario, it becomes crucial to consider how such advanced civilizations might engage with us more directly. Moreover, it is pertinent to question whether metalaw, particularly in the context of SETI, aligns with the existing corpus juris spatialis, specifically the principle asserting that the use and exploration of outer space are the province of humankind and must be conducted in the interest of all humanity. This inquiry seeks to determine whether the pursuit of Extraterrestrial Intelligence is in accordance with current international space law provisions. Consequently, the need might arise for the formulation of a comprehensive set of rules and best practices that extend beyond Haley's principles, recognizing the potential for more nuanced and direct interactions.