

IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
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THE TRANSFORMATION OF HUMAN RIGHTS IN THE CONTEXT OF PROGRESSIVE SPACE
ACTIVITIES

Abstract

The expansion of human habitats beyond Earth raises questions about the transformation of human rights. The Charter of Human Rights (UDHR and two Covenants), along with a Charter of Outer Space Activity (comprising five key treaties), emerged in response to human rights violations during World War II and the subsequent political tension between two superpowers. Today, we face significant privacy concerns and ethical questions regarding the surveillance of individuals without their explicit consent through satellite data and artificial intelligence. This includes repercussions on the right to life through space-guided weapons and on the right to a sustainable environment through the risks associated with non-precautionary space mining, among other issues. These concerns necessitate the consideration of a new human rights system in developing any technical or regulatory solutions related to space. The Draft International Covenant on Environmental Rights recognizes outer space as one of the environmental dimensions. The Council of Europe's Ethical Principles on Disaster Risk Reduction and People's Resilience highlight that human rights serve as a form of resilience against environmental degradation. Furthermore, the Declaration on the Use of Scientific and Technological Progress in the Interest of Peace and for the Benefit of Mankind stresses that, while scientific and technological advancements offer increasing opportunities to improve the living conditions of peoples and nations, they can also lead to social problems and pose threats to the human rights and fundamental freedoms of individuals. This research focuses on the substantive meaning of the right to life, the right to privacy, the right to development, and the right to environmental protection. On one hand, the authors analyze key aspects and examples of how space data is utilized in the realm of human rights, including humanitarian monitoring and crisis response, environmental rights and protection, accountability and legal evidence, urban development, and property rights, alongside challenges and ethical considerations. On the other hand, the examination covers the applicability and potential transformation of the legal framework for exercising jurisdiction to achieve justice, the reliability and completeness of evidence, and the balance between data openness and privacy. Our research proposes a set of ethical guidelines and best practices for using satellite services to monitor human activities, advocating for a balanced approach that leverages technological benefits for the common good. This approach provides the necessary measures to ensure responsible space activities for future generations.