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Author: Ms. Ishita Das
NALSAR University of Law, India

HARNESSING THE TRUE POWER OF THE LTS GUIDELINES: A CRITICAL LEGAL
PERSPECTIVE

Abstract

The rapid proliferation of space activities has opened up a Pandora's box of problems for the space actors. The safety and health of the outer space environment are under tremendous threat, and some of the concerns arising in this regard could be addressed through the Guidelines for the Long-term Sustainability of Outer Space Activities ["LTS Guidelines"], adopted by the United Nations Committee on the Peaceful Uses of Outer Space ["UN COPUOS"] in 2019. However, as the LTS Guidelines have been drafted recently, the best practices underscored in this document are yet to be fully integrated into the domestic policy and legal landscape of several space-faring nations. A major hurdle that the global space community needs to address in the wake of the commercialisation of the space sector is the effective participation of non-governmental entities vis-à-vis the adoption of the LTS Guidelines.

It is not enough for governmental agencies to implement the Guidelines, as the future of the space industry depends on how conversations centred around sustainability are taken seriously across the board. The implementation of the Guidelines has to be accorded top priority, and incentives for the space companies could be realised through the ESG framework. The ESG framework represents a holistic metric that holds immense potential for the future of the space industry. Further, women in space startups and the space sector, in general, could play an extraordinary role in advocacy and sensitisation about the LTS Guidelines. Their participation should be encouraged to enhance the environmental and social benefits stemming from the adoption of the Guidelines in line with SDG 5 and, in turn, harness the true power of the Guidelines for the welfare of humankind.

This research paper intends to discuss the primary challenges associated with the adoption of the LTS Guidelines, especially from a Global South perspective. The author will also engage in a comparative legal analysis of the domestic policies and laws adopted by five countries: China, India, Nigeria, Saudi Arabia, and the United Arab Emirates. The first section of the paper provides a brief background to the LTS Guidelines, while the second section discusses the efficacy of the LTS Guidelines, with a particular focus on the space-faring nations from the Global South. The third section highlights the relevant domestic policies and laws adopted by five countries from the Global South. The final section provides the concluding remarks and suggestions.