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PROTECTION OF THE OUTER SPACE ENVIRONMENT: NEED TO REVISIT THE LAW

Abstract

States have rapidly grown interest in exploration of space, with rapid advancement in technology, more and more national and international entities are capable of conducting space exploration than it were in the past. States have ambitious and inspirational goals of exploring outer space, which leads us to numerous problems, most important being the threat to space environment and environment of earth. Corpus Juris Spatialis, international environment law (conventions, treaties, customary law and general principles followed by civilised nations, predominantly provide a basic legal framework for protection of space environment. Each exploration mission that takes place causes a grave threat of 'forward contamination' and 'backward contamination'. Forward contamination can render all prospects of research and exploration futile, where as backward contamination poses a threat to whole human race. Outer space treaty demands every state to avoid exploration in a manner to cause 'adverse changes' from introduction of extraterrestrial matter. Similarly the moon agreement and General body of international law puts obligation on each state, not to harmfully affect the environment. Measures or Law for Environment protections are established, recognized and enforced; however with the change in scenario, law cannot be expected to provide effective solution to many of the problems and do the needful. This paper examines the situations where law lacks in providing protection to the space environment and environment of the earth in the light of recent developments and especially focusing on the Exploration mission carried out under COSPAR category V highlighting the need to revisit the law, Lastly it suggests solutions to these problems and measures to cover such situations for protecting the environment.