

Rule of Law Ensures Long-term Sustainable Development of Outer Space Activities

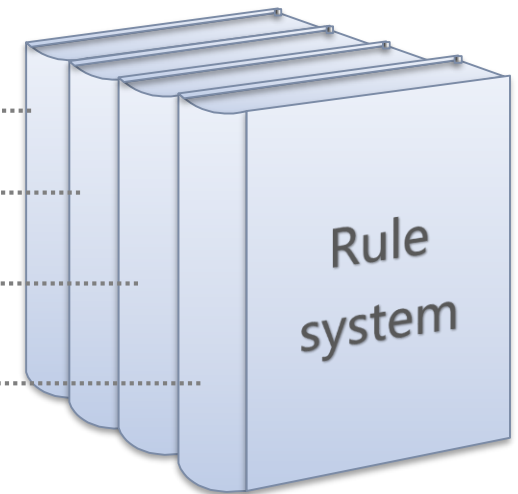
By Jilian Wang – September, 2019





In order to benefit human kind and future generations, all nations shall utilize outer space **fairly, reasonably, effectively,** and **safely** with a focus on long-term sustainability to maintain an outer space environment available for humans

- *General international conventions*
 - *Outer space treaty system*
 - *United Nations principles and declarations on outer space*
 - *Outer space soft law documents*



covers

core content

provides

basic regulation guarantee and theoretical framework

PART 01

**Essence of long-term
sustainable outer space
activities**

Sustainable development



core objective

ultimate value
of "long-term
sustainability of
outer space
activities"

ensure human survival and development

All countries should take appropriate measures to ensure the peaceful use of outer space on the basis of **fairness**, **rationality**, **effectiveness**, and **security**.



Fairness

equal rights and equal opportunities

- 🌐 All countries can **freely, equally, and non-discriminatively** explore, use, enter, and access outer space as well as all regions of celestial bodies, including the moon and other celestial bodies.
- 🌐 "**Fair utilization**" of outer space is based on the different capabilities of different countries.
- 🌐 Outer space activities shall take into account the **needs** of contemporary people without jeopardizing the development capacity of future generations.

Rationality



being sensible or reasonable

The rationality of outer space activities founded on meeting the value standards recognized by *all mankind*

The "long-term sustainability" of outer space activities is related to the interests of *all mankind*

**For all
mankind**

**formulate, amend and
revise the regulatory
framework for outer
space activities**

Rational and obvious that following this concept will benefit *all mankind*

All countries must consider the consequences of their space activities and ensure that the space activities are long-term sustainable behaviors



Effectiveness

efficiency and corresponding effects

- ⌚ Effectiveness can ensure the **maximization** of the benefits with limited resources.
- ⌚ The pursuit of efficiency and effects must be based on sustainable development and cannot be desiccated for short-term interests.
- ⌚ **Any country** cannot put its own interests above the interests of other countries or the whole human being.



Security

the focus of all countries

- 🌐 Necessary to take certain measures to limit the military use of outer space, prevent arm race, avoid collision, and mitigate space debris.
- 🌐 Constantly adhere to the principle of **peaceful utilization and exploration** of outer space to avoid transforming outer space into a place of conflict and space assets into targets of military strikes.

PART 02

Realistic factors affecting the legalization



Backgrounds

- ⌚ As early as 1962, the COPUOS formulated the **Declaration of Legal Principles**.
- ⌚ 1967 **Outer Space Treaty** established as the basic principle of human outer space activities and made it the basic code of conduct for entities involved.
- ⌚ Long-term sustainability of outer space activities requires specific legal rules to guide the entities involved.
- ⌚ Common needs and consensus of all countries will inject tremendous impetus into rule negotiation and rule of law construction .

Difficulties

faced by the construction of the rule of law for the long-term sustainable development of outer space activities

1

Significant differences in each countries' **perception** of the long-term sustainability of outer space activities

2

The existing **rules and regulations** relating to the long-term sustainability of outer space activities are not sound

3

The outer space governance **mechanism** is not perfect and no effective monitoring mechanism

4

Changes in international relations will bring uncertainty to the long-term sustainability of outer space activities

5

Hidden concerns in promoting the long-term sustainable rule of law in outer space activities

**Require
global
cooperation**

PART 03

**Work launched by
COPUOS**

In response to these challenges



The Scientific and Technical Subcommittee of COPUOS decided to add the topic of "Long-term Sustainability of Outer Space Activities" and set up an expert group to study and formulate the Guidelines for Long-term Sustainability of Outer Space Activities (LTS) in 2010.

Since its establishment in 1959, the COPUOS has played an important role in promoting the rule of law in outer space, coordinating outer space affairs and leading capability-building, especially in formulating, interpreting, amending and applying outer space rules.



COPUOS



LTS Guidelines

Guidelines for Long-term Sustainability of Outer Space Activities (LTS)

An important new rule of global space governance under the framework of the United Nations

Will have a long-term and important impact on future space activities

After eight years of negotiations, substantial progress has been made

May be the most appropriate way to deal with the issues related to the long-term sustainability of outer space activities at present

In the future.....

It may provide a good international public opinion **environment** for the formulation of new international treaties or the formation of rules of customary international law.

With the **recognition and practice** of more countries and the domestic development of these legal rules

The establishment of an international legal system for the long-term sustainability of outer space activities in this **bottom-up manner** may be the best way to deal with new situations and problems.

PART 04

Conclusions



Conclusions

- 🌐 Long-term sustainable development of outer space activities is the **eternal theme** of mankind' s peaceful exploration and utilization of outer space.
- 🌐 Rule of law is the **fundamental guarantee** for it.
- 🌐 Only a rule-based international order can ensure the **security** of outer space.
- 🌐 Since no country can face the challenges independently and all countries have **common** interests and demands, it is necessary to establish a sense of equality, mutual benefit, openness, inclusiveness and non-discrimination to work together, outlining a blueprint for the rule of law for the long-term sustainable development of outer space activities.



THANK YOU