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SUSTAINABLE DEVELOPMENT AND SCIENTIFIC RESEARCH IN OUTER SPACE

Abstract

The interpretation of the "interest of mankind" principle has led, first, to the adoption of the Moon Agreement and, at the same time, brought to its defeat. At present we see a renovation of interest in the doctrine of the "global commons" within the sustainability policy of men activities on earth and in space, the new challenge is to balance the need to preserve outer space for future generations, the enhancement of scientific research and the freedom to enact space activities compliant with the peaceful purpose principle and all other principles set at the international level. It is important to stress that, even if at the moment national space activities are mainly driven by the economic relapses of space technology and its applications (consideration that has to be looked as one of the reasons that brought new actors in space activities, different from States and international organizations), the progression of knowledge of the universe, as well as the search for the origin of planets and for intelligent life, has been the engine of all space missions and is still an important part of international organisations missions (for example ESA). This is the reason why we have to include the scientific research in the concept of "sustainability", in the sense that outer space activities can be considered sustainable only if they do not excessively hamper the use of outer space for scientific research and the progression of humankind knowledge. In this light, being aware of the future projects involving the lunar orbits, as well as the increasing interest of space-faring States in the moon surface, the protection of the dark side of the moon acquires interest for scientific research, especially for radio telescopes oriented to deep outer space. The paper is aimed at the analysis of the possibilities of a normative intervention at the international level, mainly through soft law, capable to take into account all the interests involved and at drawing a new path for the interpretation and application of the "province of all mankind" principle in order to avoid being too late in granting sustainable space activities.