

SAFE USE OF NUCLEAR POWER IN OUTER SPACE

Since the Soviet Cosmos 954 crashed in northern Canada in 1978, scattering radioactive debris over parts of the Northwest Territories, Canada has been pressing for international acceptance of a set of principles to help protect the public from dangerous incidents of this kind.

Canada began negotiations in the UN Committee on the Peaceful Uses of Outer Space (UNCPUOS) in 1979, to develop safety principles governing the use of nuclear power sources in outer space. Initially, the proposal was opposed by the USSR but opposition ceased with political developments in that country, eventually leading to the Russian Federation supporting the principles. The United States, however, delayed agreement expressing concern in particular over a provision that would set a limit on the amount of radiation that could be caused should a Nuclear Power Source (NPS) satellite return to Earth. At the last UNCPOUS session in June the United States withdrew its opposition, clearing the way for the adoption of the principles by the UN General Assembly this fall.

Besides the limit on radiation, the principles include provisions on the publication of a safety assessment before launch, notification of re-entry, assistance to states and liability and compensation. The principles are not binding and are limited to existing NPS for on-board electrical systems, not for propulsion. Nevertheless, they are a step in the advancement of outer-space law and demonstrate how persistent legal argument over time can bring results in a new and complex area.