

## **Guardians of the Galaxy: Preservation of Outer Space Environment in Space Warfare as the Province of All Mankind through Third World Approaches to International Law (TWAIL) Perspective**

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### **ABSTRACT**

Against the backdrop of “new” Cold War political enigma, the exponential increase of militarisation and weaponization has left outer space as an emerging theatre of warfare. As the province of all mankind, the preservation and safeguarding of its environment from the adverse impacts and perils of space warfare should be an integral concern for all States whose vested rights in space could be jeopardised. With Western States such as Russia and America ready to turn outer space into battlefield, the Third World Countries particularly in Asia, Africa and Latin America should question their future role and consolidate on the future preservation and long-term sustainability of the outer space environment in the safeguard of its peaceful uses and freedom of exploration and usage or else be forever ‘grounded’ in the space arena. Accordingly, this legal research found that the rules of International Humanitarian Law are applicable and to a certain degree provide protection to the outer space environment in the situation of armed conflict. Furthermore, considering the adverse impacts of space warfare, the amplification of Third World States voices within multilateral platforms and their involvement in the norm-making of outer space warfare are principal in addressing the issue.

**Keywords:** Outer Space Militarisation and Weaponization, Outer Space Environment Protection, Province of All Mankind, TWAIL.

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### **INTISARI**

Dilatarbelakangi oleh teka-teki politik Perang Dingin “baru,” peningkatan militerisasi dan persenjataan secara eksponensial telah membuat ruang angkasa sebagai teater peperangan kontemporer. Sebagai “provinsi seluruh umat manusia,” isu terkait pelestarian dan pengamanan lingkungan ruang angkasa dari dampak peperangan harus menjadi tinjauan bagi semua negara yang hak-haknya terancam. Dengan negara-negara Barat terutama Amerika dan Rusia yang siap untuk menjadikan ruang angkasa sebagai medan perang, hal ini harus membuat negara Dunia Ketiga terutama di belahan dunia Asia, Afrika dan Amerika Latin untuk mempertanyakan peran mereka dan mengkonsolidasikan pelestarian dan keberlanjutan jangka panjang dari lingkungan ruang angkasa demi menjaga dan mempertahankan ruang angkasa agar bisa tetap dieksplorasi dan digunakan secara damai supaya tidak selamanya 'membumi' di ruang angkasa. Dengan ini, penelitian hukum ini meninjau bahwa aturan Hukum Humaniter Internasional berlaku dan pada tingkatan tertentu memberikan perlindungan terhadap lingkungan antariksa dalam situasi konflik bersenjata. Lebih lanjut, penguatan suara dan kapabilitas dari negara Dunia Ketiga dalam fora multilateral dan regional serta keterlibatan dalam pembuatan norma perang antariksa merupakan hal yang sangat utama dalam menghadapi masalah ini.

**Kata kunci:** Militerisasi dan Persenjataan Luar Angkasa, Perlindungan Lingkungan Luar Angkasa, Provinsi Seluruh Umat Manusia, TWAIL.

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