

IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
Interactive Presentations - IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (IPB)

Author: Ms. Miraslava Kazlouskaya
Space Generation Advisory Council (SGAC), Belarus, miraslava.kazlouskaya@spacegeneration.org

HUMAN PLANETARY SETTLEMENTS: LEGAL ASPECTS OF FUTURE CELESTIAL
GOVERNANCE

Abstract

Human lunar missions are regaining prominence, while states and private enterprises aim for a permanent human presence on the Moon, and then on Mars. However, the law lags behind technological advancement. Thus, this paper will focus on the regulatory concerns in this setting. Firstly, this paper explains five primary causes that have sparked the interest in missions to other planets, thus substantiating the need for coherent space regulation and cooperation. Secondly, the paper systematically reads the UN space treaties and presents findings on their relevance in the light of contemporary innovations. The main focus of this chapter is the interpretation of controversial notions such as national appropriation and the common heritage of mankind. It also analyses the implications of the liability regime and registration methods applicable to the activities of extraterrestrial inhabitants. Thirdly, this paper examines the models proposed by the United States, on the one hand, and Russia with China, on the other. In this regard, the Artemis Accords are compared with the Moon Agreement and the Hague Building Blocks. As the Russian-Chinese initiative involves the drafting of the intergovernmental agreement, the ISS regime is also being evaluated. Finally, the paper spells out additional aspects related to the daily activities of humans beyond Earth, such as harmful contamination and the application of human rights law instruments in space. The complex analysis in this paper is presented from the standpoint of governmental concerns and factors linked to private missions. It is found that the various legal instruments that exist now are typically directed at a common purpose, which corresponds to the requirements of the five major space treaties. However, the Artemis Accords and the Moon Agreement have distinct philosophies concerning multilateralism in creating a legal system to govern lunar activities. Hence, it is suggested that efforts be directed toward international cooperation within the framework of COPUOS. The conclusion lists best practices from the investigated policies that should be considered while developing a consolidated document. The suggestion of multilateral debate and the creation of common standards within the framework of COPUOS fulfils the aim of global cooperation and can satisfy the interests of opposing astropolitical blocs.