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MARS TREATYMAKING WORKSHOP RESULTS AND INSIGHTS FROM ISU SSP15

Abstract

In light of the expanding robotic and impending crewed exploration and settlement of Mars, participants at the International Space University's 2015 Space Studies Program (SSP) held in Athens, Ohio, will act as governmental delegations at the United Nations to create a draft text representing a new international treaty for Mars. This is the third year the ISU SSP has conducted this Mars Treatymaking Workshop, and is done in conjunction with the SSP's Space Policy, Economics, and Law department.

Some nations have ambitious plans for Mars colonization, while others intend to commercially mine the red planet's rich mineral resources. The majority of delegations, however, hold fast the provisions of the 1967 Outer Space Treaty, whose Article II mandates that *"outer space, including the Moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means."* Can these tensions be resolved in a single treaty for Mars?

This paper will present the findings of the ISU SSP participants, including their impressions and lessons learned from the simulation of an international intergovernmental negotiation session, the drafting, adoption, and related treatymaking experience, and the substantive legal innovations for a new legal regime for Mars.