60th IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7) Joint IAF/IISL Session on Legal Framework for Collaborative Space Activities (7-B3.8)

Author: Mr. Anton Alberts
South Africa, anton.alberts@prevoyance.co.za

Dr. Peter Martinez
University of Cape Town, South Africa, peter.martinez@uct.ac.za

AN EXAMINATION OF THE MAJOR SPACE COOPERATION AGREEMENTS BETWEEN STATES AS MODELS FOR THE DEVELOPMENT OF SIMILAR AGREEMENTS FOR INTERNATIONAL JOINT VENTURES ON OTHER CELESTIAL BODIES

Abstract

Space-faring States have since the dawn of the space age managed to cooperate with each other despite sometimes deep political divisions. This cooperation has both broadened and intensified in the post-Cold War period and has culminated in joint-venture projects like the International Space Station and the agreement between collaborating States to make use of Russian launch capability to supply and bring astronauts to the International Space Station. This paper interrogates the nature of these agreements and assesses their applicability for future joint missions to the Moon and Mars against the backdrop of International Space Law. We will consider legal questions that arise regarding ownership of international bases on other celestial bodies, the legal status of the localities on which they are constructed, resource utilisation rights and the application of criminal law and justice among the astronauts stationed at such a base on the surface of another celestial body.