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MOON INC. : THE NEW ZEALAND MODEL OF GRANTING LEGAL PERSONALITY TO  
NATURAL RESOURCES APPLIED TO SPACE**Abstract**

This paper presents a groundbreaking new model for the management of natural resources, introduced into New Zealand law in line with the worldview of the indigenous Maori. The paper goes on to analyze the model through the lens of the theory of Nobel Laureate Elinor Ostrom and her design rules for managing common-pool resources (CPRs). Building on this analysis, the paper envisages a scenario applying the New Zealand model—adapted using Ostrom’s theory—to the moon or other space resources. Considering the gridlock in the debate on the exploitation of space resources and retreat to national arrangements (notably the 2015 US Commercial Space Launch Competitiveness Act), the paper examines whether the New Zealand model holds promise for a widely agreed, efficient and equitable regime for managing space resources. The New Zealand Te Urewera Act 2014 is the first statute in the Western legal tradition to grant legal personality to a natural resource—what was once Te Urewera National Park. This Act is the product of two legal traditions: that of the indigenous Maori and the common law. The Maori worldview recognizes the concept of “mana”, a concept that has no direct Western equivalent. “Mana” may be seen as giving legal standing to any being possessed of it, and the Maori legal tradition sees mana (and therefore standing) in both human beings and the natural world. The new Act recognizes the mana of the ex-park, grants it legal personality and establishes it as something like a common-law corporation. In addition, the Act delineates the ex-park’s boundaries and usage rights and also establishes the institutions that will manage the ex-park. In its analysis of the model under the Act through the lens of Ostrom’s theory, the paper considers whether the New Zealand model satisfies Ostrom’s eight design rules for the management of CPRs, which require: rules on boundaries; congruence with local conditions; collective choice arrangement; monitoring; graduated sanctions; minimal recognition of rights; and nested enterprises. The New Zealand model obeys most of Ostrom’s design rules and has potential for success, based on the current knowledge available on the management of CPRs. The paper therefore continues with an intellectual exercise, applying the model to the moon and other space resources, and tries to appraise the outcome of such an application.