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INTRODUCTION OF PROPERTY RIGHTS IN OUTER SPACE: THE IMPERATIVENESS OF NEW
TAXES?

Abstract

The law of outer space has been trying to maintain a balance between the civil and common law with regards to territorial sovereignty, as both laws approach to property right differ. Probably due to national pride, the states natural propensity to acquire territory and potential dispute and national conflict that could result with states claiming territorial space on the celestial bodies, Article II of the 1967 Outer Space Treaty prohibits states from appropriating outer space to themselves while insisting on the principle of res communis. However, proposals are being made from different quarters that property rights be introduced to this environment. Therefore, It is the intention of this paper to address the issue of taxation on the use of the portion of outer space and its resources should property right be introduced. In the main body of this article we propose that the space faring bodies should be liable to taxation. What type of taxes, to whom should these taxes be paid (not forgetting that Outer Space is being regulated by international law) and for what purpose should it be applied are the novel points that this paper is set to address.