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SPACE RESOURCES EXPLOITATION FROM THE INTERNATIONAL AND DOMESTIC LAW
PERSPECTIVES: THE RUSSIAN APPROACH

Abstract

Prospective mining of outer space resources, including those of asteroids and other celestial bodies, has become one of the key topics on the international agenda due to the adoption by the US of a new piece of legislation – the Space Resource Exploration and Utilization Act of 2015. This national regulatory initiative raises serious concerns when it comes to its compliance with provisions of the fundamental space treaties, for instance, the obligation of states under Article II of the 1967 Outer Space Treaty, stating 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".

A whole range of legal issues has to be addressed under the current circumstances, such as a lack of a uniform legal definition of outer space, celestial bodies and their resources; absence of an international legal regime of private space activities; need for a generally accepted legal mechanism to govern the exploitation of the extra-terrestrial natural resources. These are only a few directions for further deliberations and disputes. In view of the high public attention given to the US new law and the topic it relates to, the multifaceted problem of space resource mining should be a priority not only for separate states, but for the international space society as a whole.

This article presents a review of the modern Russian legislation and key political documents in the area of exploration and exploitation of outer space from the standpoint of their applicability to the potential exploitation of extra-terrestrial resources as a brand new area of future space activities.