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THE EXPLOITATION OF OUTER SPACE: PERSPECTIVES AND LEGAL CHALLENGES

Abstract

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Abstract: Due to the exceptional and remarkable technological development, the exploitation of Outer Space resources has become feasible. However, the race for the commercial exploitation of Outer Space resources faces multiple Legal Challenges. The United has enacted the U.S commercial space lanch competitive act (H.R2262). It addresses in its title IV “commercial exploitation for and commercial recovery of space resource by United States citizens”. NO “Government barriers to the development in the United States of economically viable, safe and stable industries for commercial exploitation” and promotes “The right of the United States citizens to engage in commercial exploitations for and commercial recovery on Space resources, in accordance with the International Obligations of the United States.” It is unduly clear that the United States Law is considered by most developing countries as a new colonization of Outer Space and that the exploitation of the resources of Outer Space should be regulated in accordance with International Law. A regime similar to the one for the exploration and exploitation of seabed resources (part XI of the Law of the Sea Convention and the 1994 Agreement) should be established, taking into account that the resources of the Outer Space are considered in contemporary international law as the common heritage of mankind the Outer Space Treaty permits parties to enact national laws consistent with the treaty and international law. The 1979 Moon Treaty has banned property rights and has regulated resource appropriation. Thus, the exploration of Outer Space resources faces multiple legal challenges. The outcome of this study is that the International Community is best served by cooperation in future space activities for the benefit of all mankind.

Key words: Space, Mankind, Resources, Exploitation, Appropriation, Common heritage, Space Treaty, Moon Treaty, National legislations.