

IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
International cooperation on the way to the Moon and Mars (2)

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NEWCOMERS' PERSPECTIVES ON THE INTERNATIONAL LAW-MAKING POLICY FOR MINING
AND COMMERCIAL ACTIVITIES ON THE MOON

Abstract

The Moon is commonly referred as the eighth continent which is to be exploited for its potential resources and its strategic importance as a stepping stone for both human and robotic exploration of Mars, Asteroids and beyond. In this regard, the space sector is entering into a new era with two main pillars: Space Mining and Commercialization. In this new era, space actors need to cooperate more than before in terms of technology, finance, and law-making policy. The Artemis accords signed between the US and ten states (so far) also highlights this need for cooperation.

So far, there is no legal framework to regulate space mining and commercialization activities even though states and non-governmental initiatives show their interest to regulate the exploitation and utilization of space resources. Even though space-faring countries are at the forefront of infrastructure development to exploit Lunar resources, newcomers in the space sector also develop an interest in potential commercial activities which will take place on the Moon in future. These activities may include exploration and mining of Lunar water directly or providing services such as communication networks for lunar assets and infrastructures. Therefore, the newcomers in space sector should also have a role in shaping an international legal framework for the extraction, utilization and management of Lunar resources.

In this study, we examine, why newcomers have an interest in commercial activities and mining on the Moon, how they can contribute to these activities and get benefit through international cooperation. Furthermore, we suggest how they should shape their policy on the law-making process of space mining and commercial activities at the international level considering their interests and benefits in this new era.