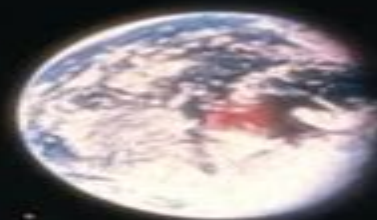


THE DEVELOPMENT OF
**OUTER
SPACE**

SOVEREIGNTY AND PROPERTY RIGHTS
IN INTERNATIONAL SPACE LAW



THOMAS GANGALE

The Development Of Outer Space Sovereignty And Property Rights In International Space Law

Liyong Dong



The Development Of Outer Space Sovereignty And Property Rights In International Space Law:

The Development of Outer Space Thomas Gangale, This account of the evolution of outer space law examines key issues that fuel the debates over sovereignty and property rights designed to govern the future colonization and use of heavenly bodies other than our own In the United States lobbies for the commercial development of space have become increasingly antagonistic toward the international legal regime of outer space condemning the 1967 Outer Space Treaty and the unratified 1979 Moon Agreement as anti business The Development of Outer Space Sovereignty and Property Rights in International Space Law argues that the res communis principle enshrined in the Outer Space Treaty was misrepresented here with essential help from corporate lobbyists whose real object was the defeat of the Law of the Sea Convention Thomas Gangale builds the legal case for reviving the moribund Moon Agreement as a prelude to negotiating a second Moon treaty to establish a regulatory regime for the exploitation of extraterrestrial resources The author s account of the inception and evolution of outer space law to date is deeply informed by his appreciation of such terrestrial considerations as the nation state system the contending economic theories of capitalism and communism and the post colonial struggle between the developed space faring nations and the developing earthbound nations

Property Rights in Outer Space Matthew Johnson,2024-05-28 This book explores the role of private mining rights in the utopian imaginary of space colonisation It presents a transdisciplinary account of the new and evolving legislative frameworks that have been established in anticipation of commercial exploitation of the mineral resources of the off world frontier Written in an engaging style the book investigates a novel case study in the history of capitalism and the commons the emergence of a nascent space mining industry undergirded by a contentious legislative framework In 2015 the US passed laws that would recognise the claims of US corporations to own and sell space resources This unilateral act of pre emptive law making would appear to contravene the terms of the UN Outer Space Treaty 1967 which declared that the exploration and use of outer space should be for the benefit of all mankind and not subject to national appropriation Using this central dynamic between privately held mining rights and outer space as a global commons Matthew Johnson constructs an historical sociology of space mining from the deep historical roots of common and private property to the contemporary networks of neoliberalism that have engaged with the commercialisation of space activity The anticipatory expansion of private property claims beyond the Earth both resonates with and problematises the terrain of political history such as the tensions between states and markets public law and private power the commons and exclusive property The emerging cosmopolitics of off world private property mirrors and is often explicitly embedded within neoliberal geopolitics prompting urgent questions about how we can reaffirm principles of democracy and common heritage in the international laws of Earth and space This book is compelling reading for anyone interested in the social study of space law economics technology politics and property rights

Proceedings of the 12th Reinventing Space Conference Scott Hatton,2016-12-25 The proceedings of the 2014 Reinventing Space conference

present a number of questions in the context of a constantly innovating space industry from addressing the future of global cooperation investigating the impact of cuts in US government spending on the private space sector and probing the overall future of the commercial launch sector Space tourism and new technology promise the revival of interest in space development the Apollo Era was the first period of intense space activity and growth The need to create dramatically lower cost responsive and reliable launch systems and spacecraft has never been more vital Advances in technology are allowing smaller and cheaper satellites to be orbited from cubesats to nanosatellites to femtosatellites Thanks to more efficient new launch possibilities low cost access to space is becoming ever more achievable Commercial companies and countries are targeting the industry with new funding Organised by the British Interplanetary Society the presentations at this conference thoroughly address these challenges and opportunities

The International Law of Property John G. Sprankling, 2014-05-01 Does a right to property exist under international law The traditional answer to this question is no a right to property can only arise under the domestic law of a particular nation But the view that property rights are exclusively governed by national law is obsolete Identifiable areas of property law have emerged at the international level and the foundation is now arguably being laid for a comprehensive international regime This book provides a detailed investigation into this developing international property law It demonstrates how the evolution of international property law has been influenced by major economic political and technological changes the embrace of private property by former socialist states after the end of the Cold War the globalization of trade the birth of new technologies capable of exploiting the global commons the rise of digital property and the increasing recognition of the human right to property The first part of the book analyzes how international law impacts rights in specific types of property In some situations international law creates property rights such as rights in aboriginal lands deep seabed minerals and satellite orbits In other areas it harmonizes property rights that arise at the national level such as rights in intellectual property rights in foreign investments and security interests in personal property Finally it restricts property rights that may be recognized at the national level such as rights in celestial bodies contraband and slaves The second part of the book explores the thesis that a global right to property should be recognized as a general matter not merely as a moral precept but rather as an entitlement that all nations must honour It establishes the components of such a right arguing that the right to property at the international level should be seen in the context of five key components of ownership acquisition use destruction exclusion and transfer This highly innovative book makes an important contribution to how we conceptualize the protection of property and to the understanding that much of this protection now takes place at the international level

Space Commercialization and the Development of Space Law from a Chinese Legal Perspective Yun Zhao, 2009 This book will be the first English on space law written by a Chinese scholar With the rapid development of space activities in China many space scientist and lawyers are keen to know Chinese Legal views on policies and laws on space activities The book discusses new development of space law in view of the rapid development of space

commercial activities from a Chinese legal perspective The topics selected in the book reflect the author's teaching and research in space law at four different universities Leiden University Erasmus University Rotterdam City University of Hong Kong and the University of Hong Kong Six areas of space law issues have been selected property rights space registration and liability regime launching services telecommunications services national space legislation and international space co operation All the topics are closely related to current Chinese space legislation and practice When dealing with the above six issues the author will first briefly discuss the current rules and practice at the international level followed by in depth analysis of Chinese situation This will be a unique book Those who are researching on space law and or in charge of formulating national space policy will be especially interested in the elaboration of Chinese attitude toward space commercialisation and of the current Chinese space policies and laws

Exclusive Use in an Inclusive Environment Philip De Man, 2016-07-25 This book aims to find a workable interpretation of the non appropriation principle that is compatible with both the existing international space law framework and the move of the private space industry towards the mining of asteroids and other celestial bodies It does so by analysing the rules on the use of orbits as limited natural resources as a concrete indication of how space resources can be exploited by one user while respecting the non appropriation principle and the interests of other users in space This analysis is complemented by a thorough review of the meaning of property rights in the context of the existing international space law regime This allows the author to distinguish between the lawful exploitation and unlawful appropriation of resources in a manner that could pave the way for a workable asteroid mining regime that takes into account the needs of individual companies and the international community Exclusive use in an inclusive environment frames the legal regime of the exploitation of natural resources in outer space as the most pressing example to date of the tension that arises between the rights of a single spacefaring actor and the interests of the broader international community Though academic in its approach in dealing with one of the most fundamental issues of space law to date the book has very practical ambitions By offering a pragmatic interpretation of the space law principles that are likely to remain the legal foundations of asteroid mining for the foreseeable future Exclusive use in an inclusive environment hopes to inform academics practitioners and policymakers alike in their future attempts at working out a fair equitable and effective management regime for the exploitation of natural resources in outer space

Global Space Governance: An International Study Ram S. Jakhu, Joseph N. Pelton, 2017-09-12 This book is based on the findings conclusions and recommendations of the Global Space Governance study commissioned by the 2014 Montreal Declaration that called upon civil society academics governments the private sector and other stakeholders to undertake an international interdisciplinary study The study took three years to complete It examines the drivers of space regulations and standards key regulatory problems and especially addresses possible improvements in global space governance The world's leading experts led the drafting of chapters with input from academics and knowledgeable professionals in the public and private sectors

intergovernmental organizations and nongovernmental organizations from all the regions of the world with over 80 total participants This book and areas identified for priority action are to be presented to the UN Committee on the Peaceful Uses of Outer Space and it is hoped will be considered directly or indirectly at the UNISPACE 50 event in Vienna Austria in 2018 The report a collective work of all the contributors includes objective analysis and frank statements expressed without pressure of political national and occupational concerns or interest It is peer reviewed and carefully edited to ensure its accuracy preciseness and readability It is expected that the study and derivative recommendations will form the basis for deliberations and decisions at international conferences and meetings around the world on the theme of global space governance This will hopefully include future discussion at the UN Committee on the Peaceful Uses of Outer Space

Proceedings of the Fiftieth Colloquium on the Law of Outer Space ,2008 **Space Law:Past, Present and Future** Carl Christol,1991-08-19 This book is a comprehensive analysis of international space law and policy in the past present and future It also assesses municipal laws and policies especially those of the United States The scope of the book is exceptionally broad dealing with the very earliest developments in the field It contains articles which describe the on going progress based on practice the emergence of treaties and other international commitments such as the decisions of the United Nations and the International Telecommunication Union and issues which are currently unresolved but which are under consideration in these international intergovernmental organisations **Journal of international law and practice** ,1994 Proceedings of the International Institute of Space Law ,2008 Includes proceedings of the 51st Colloquium on the Law of Outer Space a report on the Colloquium as well as proceedings of several other conferences sponsored or co sponsored by the International Institute of Space Law Aspects of Space Law E. R. C. van Bogaert,1986 *Social Sciences and Space Exploration* ,1984

ILSA Journal of International & Comparative Law ,1997 **Chicago Journal of International Law** ,2005 The Chicago Journal of International Law is an interdisciplinary forum for discussion and analysis of international law and policy issues

Vanderbilt Journal of Transnational Law ,1992 *Journal of Space Law* ,1996 **International Aerospace Abstracts** ,1999 **Space Law** Francis Lyall,Paul B. Larsen,2024-07-19 As space continues to attract substantial public and private investment and has become ever more active the third edition of this book has been updated to cover recent developments This includes the legal bases of UN Resolution 76 3 the Space3030 Agenda which envisages space as a driver of sustainable development and sets out an extensive programme for the future The work also takes account of adaptations and augmentations to basic space treaties It examines the increasing commercialisation of space in areas such as space tourism and space mining for which four states have already adopted relevant legislation The impact of new technologies such as satellite constellations and micro satellites are also scrutinised At a time when space tourism is available to those who can afford it and when the moon will shortly be revisited with a prospect of permanent bases this third edition provides a firm base for the next generation of space lawyers As with previous editions the work draws from governmental international

organisational and other authoritative sources as well as the relevant literature in the field The book will be an essential and comprehensive resource for students academics and researchers as well as space agencies governments and space active companies It will also be of value to technical operatives and managers who need to know the legal context within which they work

Astropolitik Everett C. Dolman, 2005-07-15 This volume identifies and evaluates the relationship between outer space geography and geographic position astrogeography and the evolution of current and future military space strategy In doing so it explores five primary propositions

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