



# ARTEMIS AND ACTÆON: from the Moon Treaty to international accords

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ARTEMIS, ACCIDENTALLY DISCOVERED BATHING BY ACTÆON,  
TURNED HIM INTO A DEER, THEN TORN TO SHREDS BY HIS OWN HUNTING DOGS  
THE USA REFUSED TO SIGN THE MOON TREATY, BUT NOW WANTS SOMETHING SIMILAR  
ANALYSIS FROM PUBLIC INFORMATION

UCI/BBK-CPS Summer meeting 11th June  
2020

# EXECUTIVE ORDER 2020 & MINING COMPANIES

- 2017 changes 2010 EO to Moon before Mars
- Extends 2015 Commercial Launches Act
  - Encourages investment
- 1<sup>st</sup> 4 Outer Space Treaties accepted
- Moon Treaty is dismissed

Moon 1979 - EIF

- rewrite
- replace
- no need for a treaty

- Planetary Resources
  - ConsenSys, public IP, communication, blockchain
- Shackleton Energy
  - No progress, no legal mining
- Deep Space Industries
  - Propulsion technologies
- Many have disappeared – lack of capital
- Luxembourg (2015) and Belgium (2019) – financial opportunities

- Peaceful Purposes
  - Cooperation per OST67
- Transparency
- Interoperability
  - Open standards
- Emergency Assistance
  - Extend Return and Rescue Agreement ('68)
- Registration of Space Objects
  - Encourage register, accession to reg75
- Release of Scientific Data
  - Open and free access
- Deconfliction of Activities (OST67)
  - Avoid & report harmful contamination, environmental change and extraneous matter

- Protecting Heritage
  - Extension of jurisdiction
  - Customary law
- Space Resources (under OST67 II, VI, XI)
  - Reaffirms non-appropriation by any means
  - National responsibility through international (non-UN) body
  - Activity reports to UN
- Orbital Debris & Spacecraft Disposal
  - UNCOPUOS guidelines
  - Soft law

7 CUSTOMARY (TREATY) PRACTICE

3 NEW (NON-TREATY) PRACTICE

10 ARTEMIS ACCORDS

# PROBLEMS AND POSSIBLE SOLUTION

- International regime
  - Customary Law
    - Precedent
    - Consistency
  - Ownership and property
    - Investment
    - Occupation/possession
  - No mention of sample return, assay or in-situ resource utilization
- Intergovernmental Agreement
    - International Space Station
    - Agreement, not contract
    - Not celestial body
    - No UN reporting
    - No UN international regime
    - Intellectual Property
      - Property and ownership analogue



# REACTIONS

- NASA
  - USAF and the US Space Force
- Russia (possible)
- Luxembourg & Belgium (Finance)
- Australia (Mining industry)
- China (“no shared values [USA]”)
- ESA
  - Moon Village
- Canada (Vancouver Recommendations)
- IISL (Hague Building Blocks)
- General