# The scramble for space resources raises urgent questions about ownership and governance



In 2015, the United States took a significant legislative step by passing the Space Act, a move that authorised the mining of asteroids and the harvesting of celestial bodies as if they were unclaimed, open resources. This legislation, quietly signed into law by then-President Barack Obama, essentially allowed American companies and individuals to claim ownership over extraterrestrial materials, marking a pivotal shift in the legal framework governing space.

At the time, the Space Act was seen by many as an emblem of inevitable technological progress, opening the door to resource exploitation beyond Earth. However, with the arrival of the Trump administration, the approach to space governance changed dramatically. In 2020, President Donald Trump signed the Artemis Accords, a set of principles designed to establish a new regulatory environment for space exploration and utilisation. This agreement, endorsed by 43 countries including the United Kingdom, sought to legalise the extraction of space resources, effectively ending the era of space as a global commons as protected by the 1967 Outer Space Treaty.

In March under the Trump presidency, he publicly pledged to plant the American flag on Mars and further into the solar system, signifying a bold assertion of US interests in the final frontier. These developments highlight a rapid transition from space being regarded as a shared domain to one increasingly shaped by national and corporate claims.

The Guardian reports on a recent study published by the thinktank Common Wealth, titled "Star Wars," which casts a critical eye on the current trajectory of space governance. Carla Ibled, the report’s author and a researcher at Durham University, characterises the ongoing push by private corporations, billionaires such as Elon Musk and Jeff Bezos, and various neoliberal thinktanks as an effort to extend terrestrial ownership models into space. Describing this as “the transfer of shared resources into the hands of a few,” Ibled points out that while the 1967 Outer Space Treaty prohibits state exploitation, it remains ambiguous regarding private claims, a legal grey area now being exploited in what she terms a “tycoon-led scramble for the stars.”

Corporate ambitions focus on extracting valuable materials from asteroids, such as platinum group metals, as well as harvesting lunar ice for fuel and helium-3 for potential nuclear fusion applications. Although these ventures are currently more speculative business cases than established industries, the legal framework is evolving to permit resource appropriation under the banner of peaceful commercial activity.

Some proponents of space mining even suggest it could serve environmental goals by relocating pollution-causing industries away from Earth to the ostensibly “lifeless” expanses of space, a claim that the Common Wealth report critiques as a modern form of enclosure akin to historical land grabs.

The challenge of creating a global, democratically governed model for space resource management is significant. Currently, no international organisation has the definitive authority to regulate space resource use comprehensively. The United Nations Office for Outer Space Affairs represents a nascent effort in this field. Past attempts to establish binding international agreements, such as the 1979 Moon Agreement, have failed to gain support from major spacefaring nations.

Concerns also linger about the potential militarisation of space under the guise of resource exploitation. Notably, countries like Russia and China resist what they perceive as western attempts to privatise and claim celestial territories, supporting instead the idea of space as common property. Unlike other Artemis Accord signatories such as the United States, Luxembourg, the United Arab Emirates, and Japan, the United Kingdom has yet to implement a licensing system for space resource use.

Dr Carla Ibled highlights the absence of viable commercial models for retrieving space resources and bringing them back to Earth for sale. While NASA's earlier return of Moon rocks helped justify the initial US space property rights legislation, the broader appropriations of space resources remain contentious.

In advocating for a different approach, some experts suggest adopting a governance framework akin to the Antarctic Treaty System, which emphasises collective consent and restraint. This model would treat space not as unlimited bounty but as a realm requiring ethical management, permitting limited survival uses such as water extraction while preventing unfettered commercial exploitation.

The Common Wealth report concludes that, as humanity’s last shared commons increasingly falls under the control of a few powerful interests, there is an urgent need to develop equitable global governance structures. Though challenging, efforts to safeguard space as a shared realm of exploration and resource management carry planetary significance.

Source: [Noah Wire Services](https://www.noahwire.com)

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