**University of Leicester**

**Future 50 PhD Scholarship**

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| **Project Reference** | SPACE Deplano |

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| **First Supervisor** | Dr Rossana Deplano | | |
| **School/Department** | School of Law | | |
| **Email** | [rd279@leicester.ac.uk](mailto:rd279@leicester.ac.uk) | **Telephone Ext** | 2336 |

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| **Second Supervisor** | Professor Richard Ambrosi | | |
| **School/Department** | Space Park Leicester & School of Physics and Astronomy | | |
| **Email** | [rma8@leicester.ac.uk](mailto:rma8@leicester.ac.uk) | **Telephone Ext** | 1812 |

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| **Additional Supervisor** | Prof. Joanne Wheeler (Honorary Professor Alden Legal) |

**Section 2 – *Project Information***

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| **Project Title** | Towards an International Regulatory Regime for the Commercialization of Space Resources: What Role for the Artemis Accords? | |
| **Project Highlights:** | 1. | Originality:  A comprehensive analysis of the relationship between legally binding (treaty-based) and non-binding (soft law, e.g. the Artemis Accords) mechanisms that regulate the commercialization of resources extracted in space has yet to be undertaken. |
| 2. | Significance:  The project aligns with international legal and policy initiatives. The rapid development of space technologies in support of scientific missions requires a complete review of the governing regulatory frameworks at both the national and international level. Regulatory oversight of *in situ* resource utilization by states and private actors alike will form an important part of future licensing and regulatory regimes governing the commercialization of space resources. |
| 3. | Impact:  Academic - This project neatly complements the research priorities of the University of Leicester’s Research strategy by facilitating interdisciplinary space research into the Social Sciences in collaboration with the Space Park Leicester. It also fits the current research priorities of the University’s Centre for European Law and Internationalisation (CELI).  Non-academic – The findings of the project will likely make an impact on the regulation of space resources within multilateral fora, e.g. the UN Committee on the Peaceful Uses of Outer Space (COPUOS) is inviting views from the space industry and academia to inform its ongoing work on the legality of space resource activities (2022-2027). |
| **Project Summary** | | |
| ***Background***  The development of space technology in support of scientific missions, such as the US-led Artemis missions on the Moon, is paving the way to the commercial exploitation of space resources by private companies.  International space law is not fully equipped to regulate the commercial uses of space resources. Legal uncertainties surround areas such as the attribution of property rights and benefit sharing. In order to secure uniformity of action among its international partners, the Artemis missions are governed by the Artemis Accords – a set of rules grounded on the US interpretation of the Outer Space Treaty (1967).  Adopted in 2020, the Artemis Accords only state that the extraction of space resources does not necessarily amount to national appropriation, which is prohibited by Article II of the Outer Space Treaty. In order to fill the gap in the law, in April 2022 the COPUOS Legal Subcommittee established a Working Group on the Legality of Space Resource Activities with a view to elaborating a set of guiding principles compatible with the space treaties, taking into account current state practice (including the Artemis missions).  The outcome of the Working Group’s deliberations will inform the progressive development of international space law.  ***PhD Project***   1. *Mapping the regulatory landscape*   The Artemis Accords are non-binding rules governing state conduct in support of the Artemis missions. However, they do not automatically extend to private commercial entities operating outside the framework of the Artemis missions (e.g. planning commercial space mining). By focusing on the applicability of the Artemis Accords to private companies, this project will provide a unique perspective on an undertheorized aspect of the law applicable to space resource activities.   1. *Recommended changes*   The project will identify the legal gaps underpinning the regulation of space resource utilization by private actors. It will develop a normative framework based on international standards, including by drawing comparisons with other relevant normative frameworks regulating similar activities in the global commons, e.g. deep-seabed and Antarctic mining. It will then suggest changes to the current text of Artemis Accords by formulating a bespoke version applicable to space resource activities by private companies.  [350/350] | | |