

“WE SPEAK FOR THE SETTLERS!”



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by Dennis O'Brien

Space Renaissance International (SRI) is a Permanent Observer at the UN's Committee on the Peaceful Uses of Outer Space (COPUOS). We are currently advocating for:

1. Ownership of resources removed from in place (being considered by the COPUOS Working Group on the Legal Aspects of Space Resource Activity);
2. Permanent advisory status for the private sector in any new consultation mechanism proposed by ATLAC (COPUOS Action Team on Lunar Activity Consultation);
3. Recognition of the Right of Asylum in outer space, as guaranteed by the Universal Declaration of Human Rights and the Refugee Convention;
4. Recognition of the Right to Develop as stated in the UN Declaration of the Right to Development, "an inalienable human right for every person and people to participate in, contribute to, and enjoy economic, social, cultural, and political progress, leading to improved well-being, freedom, and dignity."

Jurisdiction and Control: Article VI of the Outer Space Treaty of 1967 states that "States Parties to the Treaty shall bear international responsibility for national activities in outer space . . . The activities of non-governmental entities in outer space, including the moon and other celestial bodies, shall require authorization and continuing supervision by the appropriate State Party to the Treaty." Such jurisdiction and control can be shared by multiple states: "When activities are carried on in outer space, including the moon and other celestial bodies, by an international organization, responsibility for compliance with this Treaty shall be borne both by the international organization and by the States Parties to the Treaty participating in such organization."

Multiple states can also use an operating agreement to govern activities when working together, as with the International Space Station. States will retain jurisdiction of its nationals even when they are within space controlled by another state (OST Article VIII) unless the individual seeks asylum (above).

Many countries and organizations envision permanent settlements in outer space. Such settlements can seek to become autonomous regions, still within the jurisdiction of a state or states, but able to govern its own local affairs. A good example is American Samoa, where the United States federal government is responsible for foreign policy and defense, while the local Samoan legislature is responsible for almost everything else.

Ultimately, space settlements will likely seek independence, as dramatized by Robert Heinlein in *The Moon Is A Harsh Mistress* and by Isaac Asimov in *The Martian Way*. The Montevideo Convention of 1934 establishes four minimum requirements: (a) a permanent population; (b) a defined territory; (c) government; and (d) capacity to enter into relations with the other states. Recognition by other sovereign states, though not required, is certainly desired. When a settlement declares its independence, it will no longer be bound by the Outer Space Treaty but would likely seek to join on condition of recognition of its claimed territory.

SRI will continue producing papers and presentations on the Legal Aspects of Outer Space Settlers and Settlements in support of humanity's efforts to expand into space. More at our SRI World Congress, June 30-July 4. <https://2026.spacerenaissance.space/>

Check the [Call for Papers](#), and [submit your abstract\(s\)](#)!

Register [here](#).

To understand more about the Congress symposia, sessions, and proposed topics, also watch the [SRIC4 #00: "Announcing the 4th SRI World Congress"](#), on the Space Renaissance YouTube channel!

Let's work together to make a great congress!

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