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## **PROGRESSIVE DEVELOPMENT OF INTERNATIONAL LAW IN THE CONCERN OF CURRENT TRENDS AND PROBLEMS OF COLONIZATION OF MARS AS A CELESTIAL BODY**

The realization of colonizing Mars must be based on an internal legal framework adapted to support this process. Modern international space law lacks an appropriate set of rules. Therefore, filling the existing "vacuum" is possible due to its progressive development by further developing the concept of humanity's common heritage, a universally recognized part of which is outer space with celestial bodies.

As a starting point in such an algorithm, it would be logical to refer to the provisions of the 1982 UN Convention on the Sea Law. According to Article 136 of the 1982 United Nations Convention on the Law of the Sea, the Seabed Area, outside national jurisdictions (from now on referred to as the Area), and its resources are the common human heritage. No State may claim or exercise sovereignty or sovereign rights regarding any part of the seabed or its resources, and no State, individual or legal entity may appropriate any part thereof. No claims of any kind or exercise of sovereignty or sovereign right and no such appropriation shall be recognized. All rights to seabed resources belong to all humanity, on whose behalf the International Seabed Authority (from now on - the Authority) acts [1].

The Authority is the organization through which States Parties to the 1982 Convention organize and monitor activities in the Area, in particular, to manage its resources [2]. The Authority shall have the powers and functions conferred upon it under this Convention. The Convention shall confer on the Authority such imaginary competence as follows from these powers and functions related to the Area's activities and is necessary for their exercise. The body is based on the principle of sovereign equality of all its members.

All Authority members shall perform their duties in good faith to ensure that each of them has the rights and benefits deriving from their membership. In the light of the prospect of colonization of the planet Mars, we consider it appropriate to develop an international legal concept of the common heritage of humanity by a kind of analogy with the regime of development of the Area, which developed in international maritime law with the adoption of the 1982 Convention [3]. First, it is possible to consider the experience of institutional cooperation accumulated by the Community of States and to transform the Committee on the Peaceful Uses of Outer Space (from now on referred to as the Outer Space Committee) as the UN Intergovernmental Authority into the International Peaceful Outer Space Authority. ) with the status of a specialized UN agency. The newly created organization structure should form three central bodies: the Assembly, the Council, and the Secretariat. The Assembly shall include representatives of all Member States of the Outer Space Committee at the time of its reorganization into the Outer Space Authority. It shall be empowered to formulate policies for the peaceful uses of outer space.

The Council should perform executive functions and consist of 36 members of the Outer Space Body, whom the Assembly will elect in 5 categories:

- states - the largest exporters of resources to be extracted on the Moon, Mars, and other celestial bodies (4 members);
- states - the most significant consumers or importers of such resources (4 members); States that, either directly or through their citizens, have made the most significant investments in the preparation and conduct of space activities, including the Moon, Mars, and other celestial bodies (4 members);
- developing and special interest States Parties (States without space exploration and exploration technologies, including the Moon, Mars and other celestial bodies; least developed States) (6 members); 18 members of the Council, elected based on the principle of ensuring a fair geographical distribution of seats [4].

The Scientific, Technical and Legal Subcommittees of the Space Committee should continue their work at the Council, but already in committees' status. Accordingly, the Scientific and Technical Committee of the Council of the Space Authority will be responsible for the use of space technology, the use of nuclear energy sources in space, etc., and the Legal Committee - to address legal issues arising during the creation and implementation of space exploration and use programs. including the Moon, Mars, and other celestial bodies. The secretariat should consist of the Secretary-General and staff. The Assembly shall elect the Secretary-General for a term of four years, which shall be renewable. He shall be the chief administrative officer of the Space Authority and perform administrative functions and submit an annual report to the Assembly on the work of the Authority. The Space Authority structure should include the Enterprise - an independent body, which will include the direct extraction of resources on celestial bodies. Within the Enterprise, the Outer Space Authority shall have a Board and a Director-General, whom the Assembly shall elect based on the Council's recommendations [5]. In addition, the structure of the Space Authority should be an independent body that has no analogs in international practice, as its appearance is due to the specifics of colonization of celestial bodies as such (Mars is only the most promising prospect for such effective development).

This structural unit's activities will be coordinated both by the Assembly and the Council in line with the international policy on the exploration and use of extraterrestrial space, which will be formed and implemented by the Outer Space Body. Such a body should be the Settlement, whose main function will be the direct implementation of the colonization process, arrangement, and organization of colonies to ensure their sustainable and effective existence and maintain regular communication between the Settlement staff and the inhabitants of colonies with the Earth. The Outer Space Body's Settlement structure should include its Board and Director General, whom the Assembly will elect based on the Council's recommendations [6].

The question of the sovereignty of permanent colonies on the surface of Mars and possibly in Martian orbit is a question that is currently not clearly articulated or defined in the current version of the Outer Space Treaty. At present, under the rules of international space law, a nation or entity cannot claim sovereignty over a celestial body or any artificial habitable human outpost, such as a space station.

However, suppose we reject the idea of creating a territory of the common heritage of humanity and have space expansion by individual states of the planet Earth.

In that case, the solution will require the question of how to regulate relations in this case. An integral prerequisite for the described international lawmaking is a favorable situation in the world, on the planet Earth, and first of all - geopolitical and macroeconomic stability, as well as an active and constructive position of the UN and its bodies (especially the General Assembly and the International Law Commission). and UN member states. At the same time, there is no doubt that the provisions of the current international treaties in the field of international space law, which prevent the intensive colonization of Mars described above, should be brought into question, as discussed above.

## REFERENCES

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