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## Abstract

For over half a century, ambiguity surrounding the legality of private property resource utilization under the 1967 Outer Space Treaty has hindered forward progress in the commercialization of space resources.

Momentum in favor of resource utilization on the national level has arrived in the form of national legislation favorable to property and mineral rights recovered by private entities within the USA, Luxembourg and the United Arab Emirates, and bilateral negotiations by way of the Artemis Accords, where partnerships with nations are centered around favorable resource utilization with respect to the Outer Space Treaty framework.

These efforts, however, have been met with resistance; Whether the implementation of such legislation is a violation of "national appropriation" has been a point of contention.

What is needed now is a base level confirmation that private sector projects relating to resource utilization upon celestial bodies by private entities are permissible under the Outer Space Treaty system, rendered in a manner which is accepted across the board.

Private sector led efforts are underway to approach the to render favorable interpretation, within multiple nations, of the current treaty framework governing Outer Space with respect to private property rights/resource utilization.

In the international arena, the trend toward inclusion of the private sector in future governing structure has evolved, as seen with the work of the Hague International Space Resources Governance Working Group.

The right combination of action across national, intergovernmental and private actors can result in action within the UNCOPUOS to solidify the favorable climate for off-planet resource utilization permanently, and do so:

- Without litigation
- Under existing legislation, and
- Free from accusation of violation of the 'non-appropriation' principle within the Outer Space Treat

## A short bio

Wes Faires is an advocate for the forward progress of the concept of property rights with respect to off planet resource utilization, acting as liaison private sector, with competent national authorities of States-Parties to the Outer Space Treaty, and in the international arena as an observer to the Hague International Space Resources Governance Working Group.